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13

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION
17

18 IN RE: TFT-LCD (FLAT PANEL) ANTITRUST
LITIGATION

19 This Document Relates to: 3:09-CV-1064 SI

20
21 DELL INC. and DELL PRODUCTS L.P.,

22 Plaintiffs,

23 v.

24 SHARP CORPORATION, *et al.*,

25 Defendants.
26
27
28

MDL File No.: 3:07-MD-1827-SI
MDL NO. 1827

**ANSWER OF DEFENDANTS EPSON
IMAGING DEVICES
CORPORATION AND EPSON
ELECTRONICS AMERICA, INC. TO
FIRST AMENDED COMPLAINT OF
DELL INC. AND DELL PRODUCTS
L.P.**

1 Defendants Epson Imaging Devices Corporation (“EID”) and Epson Electronics America,
2 Inc. (“EEA”) (collectively “Epson Defendants”), by their undersigned attorneys, for their Answer
3 to the First Amended Complaint (“Complaint”) of Dell Inc. and Dell Products L.P.’s
4 (“plaintiffs”), state:

5 1. With respect to paragraph 1 of the Complaint, Epson Defendants are not required
6 to respond because it does not contain any allegations of fact, but rather consists of plaintiffs’
7 characterizations of its motivations and its claims. Further responding to paragraph 1 of the
8 Complaint, Epson Defendants are not required to respond because it does not contain any
9 allegations of fact, but rather states legal conclusions. To the extent that paragraph 1 may be
10 deemed to require any response, Epson Defendants deny plaintiffs’ definitions of the terms “TFT-
11 LCD panels” and “TFT-LCD products” because the definitions comprise a wide variety of items
12 of commerce that appear at many different levels of many different production chains, and that
13 are traded in multiple, separate markets, including multiple, separate markets for different types
14 of TFT-LCD panels, and multiple, separate markets for appliances containing multiple separate
15 types of TFT-LCD panels. Thus, as defined, the terms “TFT-LCD panels” and “TFT-LCD
16 products” create confusion in this paragraph and wherever it is used as part of any subsequent
17 allegation in the Complaint. To the extent that any remaining allegations in paragraph 1 may be
18 deemed to require any further response, Epson Defendants admit that paragraph 1 generally
19 describes some basic aspects of the nature, technology, and means of manufacturing TFT-LCD
20 panels, modules, and appliances containing TFT-LCD panels, that some types of TFT-LCD
21 panels are incorporated in many appliances, including, but not limited to, computer monitors,
22 televisions, and cellular telephones, and that at various times, different types of TFT-LCD panels
23 were used in a wide variety of appliances, including, but not limited to, wireless handsets. Epson
24 Defendants lack knowledge or information sufficient to form a belief as to the truth of the
25 remaining allegations contained in paragraph 1, and on that basis deny each and every such
26 allegation.

27 2. To the extent any response may be deemed required to the allegations contained in
28 paragraph 2 of the Complaint, Epson Defendants admit that plaintiffs purport to recover

1 compensatory damages in this action. To the extent that the allegations contained in paragraph 2
2 of the Complaint are directed to other defendants, Epson Defendants lack knowledge or
3 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
4 each and every such allegation. To the extent that the allegations contained in paragraph 2 of the
5 Complaint are directed to Epson Defendants, Epson Defendants deny each and every allegation
6 contained in such paragraph.

7 3. The allegations in paragraph 3 of the Complaint purport to characterize publicly-
8 filed agreements between the United States Department of Justice (“DOJ”) and several
9 defendants, in addition to publicly-filed indictments returned against related individuals, the
10 contents of which agreements and indictments speak for themselves and require no further
11 response. To the extent that any further response may be deemed required to such allegations,
12 Epson Defendants deny each and every allegation contained in paragraph 3 of the Complaint,
13 except admit that EID entered a guilty plea as set forth in the publicly-filed Plea Agreement in
14 *United States v. Epson Imaging Devices Corporation*, N.D. Cal., No. 09-cr-0854, the contents of
15 which Plea Agreement speaks for itself; and admit that the DOJ reached agreements with LG
16 Display Co. Ltd., LG Display America, Inc., Sharp Corporation, Chunghwa Picture Tubes, Ltd.,
17 Chi Mei Optoelectronics Corporation, and Hitachi Displays Ltd. to plead guilty and pay criminal
18 fines for violations of the Sherman Act. Except as otherwise herein admitted, Epson Defendants
19 lack knowledge or information to form a belief as to the truth of the allegations, and on that basis
20 deny each and every remaining allegation.

21 4. The allegations in paragraph 4 of the Complaint purport to characterize publicly-
22 filed agreements between the DOJ and several defendants, the contents of which agreements
23 speak for themselves and require no further response.

24 5. With respect to paragraph 5 of the Complaint, Epson Defendants are not required
25 to respond because it does not contain any allegation of fact but rather consists of argument and
26 conclusions of law. To the extent that the allegations contained in paragraph 5 are directed to
27 other defendants, Epson Defendants lack the knowledge or information sufficient to form a belief
28 as to the truth of such allegations, and on that basis deny each and every such allegation. To the

1 extent that the allegations contained in paragraph 5 are directed to Epson Defendants, Epson
2 Defendants deny each and every allegation contained in such paragraph.

3 6. To the extent that allegations in paragraph 6 may be deemed to require any
4 response, Epson Defendants admit that paragraph 6 generally describes some basic aspects of the
5 nature, technology, and means of manufacturing TFT-LCD panels, modules, and appliances
6 containing TFT-LCD panels, that some types of TFT-LCD panels are incorporated in many
7 appliances, including, but not limited to, computer monitors, televisions, and cellular telephones,
8 and that at various times, different types of TFT-LCD panels were used in a wide variety of
9 appliances, including, but not limited to, wireless handsets. To the extent that the remaining
10 allegations contained in paragraph 6 are directed to other defendants, Epson Defendants lack the
11 knowledge or information sufficient to form a belief as to the truth of such allegations, and on
12 that basis deny each and every such allegation. To the extent that the remaining allegations
13 contained in paragraph 6 are directed to Epson Defendants, Epson Defendants deny each and
14 every allegation contained in such paragraph.

15 7. With respect to paragraph 7 of the Complaint, Epson Defendants are not required
16 to respond because it does not contain any allegation of fact but rather consists of argument and
17 conclusions of law. To the extent that the allegations contained in paragraph 7 are directed to
18 other defendants, Epson Defendants lack the knowledge or information sufficient to form a belief
19 as to the truth of such allegations, and on that basis deny each and every such allegation. To the
20 extent that the allegations contained in paragraph 7 are directed to Epson Defendants, Epson
21 Defendants deny each and every allegation contained in such paragraph.

22 8. With respect to paragraph 8 of the Complaint, Epson Defendants are not required
23 to respond because it does not contain any allegation of fact but rather consists of argument and
24 conclusions of law. To the extent that the allegations contained in paragraph 8 are directed to
25 other defendants, Epson Defendants lack the knowledge or information sufficient to form a belief
26 as to the truth of such allegations, and on that basis deny each and every such allegation. To the
27 extent that the allegations contained in paragraph 8 are directed to Epson Defendants, Epson
28 Defendants deny each and every allegation contained in such paragraph.

1 9. With respect to paragraph 9 of the Complaint, Epson Defendants are not required
2 to respond because it does not contain any allegation of fact, but rather consists of plaintiffs'
3 characterizations of their motivations and claims. To the extent that any response may be deemed
4 required, Epson Defendants admit that plaintiffs purport to attempt to state a claim for injunctive
5 relief for purported violations of Section 1 of the Sherman Act (15 U.S.C. § 1), admit that
6 plaintiffs purport to seek treble damages from such purported violations, admit that plaintiffs
7 purport to seek damages under state antitrust, consumer protection, unfair competition and
8 contract laws, and admit that plaintiffs seek to recover the costs of suit, including reasonable
9 attorneys' fees. Except as specifically admitted herein, Epson Defendants deny the allegations in
10 paragraph 9 of the Complaint.

11 10. With respect to paragraph 10 of the Complaint, Epson Defendants are not required
12 to respond because it does not contain any allegation of fact but rather consists of argument and
13 conclusions of law. To the extent that the allegations contained in paragraph 10 are directed to
14 other defendants, Epson Defendants lack the knowledge or information sufficient to form a belief
15 as to the truth of such allegations, and on that basis deny each and every such allegation. To the
16 extent that the allegations contained in paragraph 10 are directed to Epson Defendants, Epson
17 Defendants deny each and every allegation contained in such paragraph.

18 11. With respect to paragraph 11 of the Complaint, Epson Defendants are not required
19 to respond because it does not contain any allegation of fact but rather consists of argument and
20 conclusions of law. To the extent that the allegations contained in paragraph 11 are directed to
21 other defendants, Epson Defendants lack the knowledge or information sufficient to form a belief
22 as to the truth of such allegations, and on that basis deny each and every such allegation. To the
23 extent that the allegations contained in paragraph 11 are directed to Epson Defendants, Epson
24 Defendants deny each and every allegation contained in such paragraph.

25 12. With respect to paragraph 12 of the Complaint, Epson Defendants are not required
26 to respond because it does not contain any allegation of fact but rather consists of argument and
27 conclusions of law. To the extent that the allegations contained in paragraph 12 are directed to
28 other defendants, Epson Defendants lack the knowledge or information sufficient to form a belief

1 as to the truth of such allegations, and on that basis deny each and every such allegation. To the
2 extent that the allegations contained in paragraph 12 are directed to Epson Defendants, Epson
3 Defendants deny each and every allegation contained in such paragraph.

4 13. With respect to paragraph 13 of the Complaint, Epson Defendants are not required
5 to respond because it does not contain any allegation of fact but rather consists of argument and
6 conclusions of law. To the extent that the allegations contained in paragraph 13 are directed to
7 other defendants, Epson Defendants lack the knowledge or information sufficient to form a belief
8 as to the truth of such allegations, and on that basis deny each and every such allegation. To the
9 extent that the allegations contained in paragraph 13 are directed to Epson Defendants, Epson
10 Defendants deny each and every allegation contained in such paragraph.

11 14. With respect to paragraph 14 of the Complaint, Epson Defendants are not required
12 to respond because it does not contain any allegation of fact but rather consists of argument and
13 conclusions of law. To the extent that the allegations contained in paragraph 14 are directed to
14 other defendants, Epson Defendants lack the knowledge or information sufficient to form a belief
15 as to the truth of such allegations, and on that basis deny each and every such allegation. To the
16 extent that the allegations contained in paragraph 14 are directed to Epson Defendants, Epson
17 Defendants deny each and every allegation contained in such paragraph.

18 15. With respect to paragraph 15 of the Complaint, Epson Defendants are not required
19 to respond because it does not contain any allegation of fact but rather consists of argument and
20 conclusions of law. To the extent that the allegations contained in paragraph 15 are directed to
21 other defendants, Epson Defendants lack the knowledge or information sufficient to form a belief
22 as to the truth of such allegations, and on that basis deny each and every such allegation. To the
23 extent that the allegations contained in paragraph 15 are directed to Epson Defendants, Epson
24 Defendants deny each and every allegation contained in such paragraph.

25 16. With respect to paragraph 16 of the Complaint, Epson Defendants are not required
26 to respond because it does not contain any allegation of fact, but rather states legal conclusions.
27 To the extent that any response may be deemed required to any allegation in paragraph 16 that is
28 directed to other defendants, Epson Defendants lack knowledge or information sufficient to form

1 a belief as to the truth of the allegations, and on that basis deny each and every allegation. To the
2 extent that any response may be deemed required to any allegation in paragraph 16 that is
3 directed to Epson Defendants, Epson Defendants admit that EEA conducted business and
4 maintained a place of business within the Northern District of California, as that district is defined
5 in 28 U.S.C. § 84(a), but deny each and every allegation contained in such paragraph.

6 17. The allegations in paragraph 17 of the Complaint purport to characterize publicly-
7 filed agreements between the DOJ and several defendants, in addition to the plea hearing
8 testimony of several defendants, which testimony is set forth in the official hearing transcript, and
9 the contents of which agreements and transcripts speak for themselves and require no further
10 response. To the extent that any further response may be deemed required to such allegations,
11 Epson Defendants deny each and every allegation contained in paragraph 17 of the Complaint,
12 except admit that EID entered a guilty plea as set forth in the publicly-filed Plea Agreement in
13 *United States v. Epson Imaging Devices Corporation*, N.D. Cal., No. 09-cr-0854, the contents of
14 which Plea Agreement speaks for itself. Except as otherwise herein admitted, Epson Defendants
15 lack knowledge or information to form a belief as to the truth of the allegations, and on that basis
16 deny each and every remaining allegation.

17 18. To the extent that the allegations contained in paragraph 18 require a response,
18 such allegations purport to characterize documents filed with the U.S. International Trade
19 Commission, the contents of which documents speak for themselves and require no further
20 response.

21 19. To the extent that the allegations contained in paragraph 19 of the Complaint are
22 directed to other defendants, Epson Defendants lack knowledge or information sufficient to form
23 a belief as to the truth of the allegations, and on that basis deny each and every such allegation.
24 To the extent that the allegations contained in paragraph 19 of the Complaint are directed to
25 Epson Defendants, Epson Defendants deny each and every allegation contained in such
26 paragraph, except admit that EEA is a wholly-owned subsidiary of US Epson Inc., and US Epson
27 Inc. is in turn a wholly-owned subsidiary of Seiko Epson Corporation, and admit the EEA is a
28

1 California corporation with a principal place of business at 2580 Orchard Parkway, San Jose,
2 California.

3 20. With respect to paragraph 20 of the Complaint, Epson Defendants are not required
4 to respond because it does not contain any allegation of fact but rather consists of argument and
5 conclusions of law.

6 21. With respect to paragraph 21 of the Complaint, Epson Defendants are not required
7 to respond because it does not contain any allegation of fact, but rather states legal conclusions.

8 22. With respect to paragraph 22 of the Complaint, Epson Defendants are not required
9 to respond because it does not contain any allegation of fact, but rather states legal conclusions.

10 23. With respect to paragraph 23 of the Complaint, Epson Defendants are not required
11 to respond because it does not contain any allegation of fact, but rather states legal conclusions.
12 To the extent any response may be deemed required to any allegation in paragraph 23 that is
13 directed to other defendants, Epson Defendants lack knowledge or information sufficient to form
14 a belief as to the truth of the allegations, and on that basis deny each and every such allegation.
15 To the extent any response may be deemed required to any allegation in paragraph 23 that is
16 directed to Epson Defendants, Epson Defendants deny each and every other allegation contained
17 in such paragraph.

18 24. With respect to paragraph 24 of the Complaint, Epson Defendants are not required
19 to respond because it does not contain any allegation of fact but rather consists of argument and
20 conclusions of law. Further responding to the allegations contained in paragraph 24 of the
21 Complaint, Epson Defendants lack knowledge or information sufficient to form a belief as to the
22 truth of the allegations, and on that basis deny each and every such allegation.

23 25. With respect to paragraph 25 of the Complaint, Epson Defendants are not required
24 to respond because it does not contain any allegation of fact, but rather states legal conclusions.

25 26. With respect to paragraph 26 of the Complaint, Epson Defendants are not required
26 to respond because it does not contain any allegation of fact, but rather states legal conclusions.

27 27. With respect to paragraph 27 of the Complaint, Epson Defendants are not required
28 to respond because it does not contain any allegation of fact, but rather states legal conclusions.

1 28. With respect to paragraph 28 of the Complaint, Epson Defendants are not required
2 to respond because it does not contain any allegation of fact, but rather states legal conclusions.

3 29. Epson Defendants lack knowledge or information sufficient to form a belief as to
4 the truth of the allegations contained in paragraph 29 of the Complaint, and on that basis deny
5 each and every allegation.

6 30. Epson Defendants lack knowledge or information sufficient to form a belief as to
7 the truth of the allegations contained in paragraph 30 of the Complaint, and on that basis deny
8 each and every allegation.

9 31. With respect to paragraph 31 of the Complaint, Epson Defendants are not required
10 to respond because it does not contain any allegation of fact, but rather consists of plaintiffs'
11 explanations of terminology.

12 32. Epson Defendants lack knowledge or information sufficient to form a belief as to
13 the truth of the allegations contained in paragraph 32 of the Complaint, and on that basis deny
14 each and every allegation.

15 33. To the extent that the allegations contained in paragraph 33 of the Complaint are
16 directed to other defendants, Epson Defendants lack knowledge or information sufficient to form
17 a belief as to the truth of the allegations, and on that basis deny each and every such allegation.
18 To the extent that the allegations contained in paragraph 33 of the Complaint are directed to
19 Epson Defendants, Epson Defendants deny each and every allegation contained in such
20 paragraph.

21 34. To the extent that the allegations contained in paragraph 34 of the Complaint are
22 directed to other defendants, Epson Defendants lack knowledge or information sufficient to form
23 a belief as to the truth of the allegations, and on that basis deny each and every such allegation.
24 To the extent that the allegations contained in paragraph 34 of the Complaint are directed to
25 Epson Defendants, Epson Defendants deny each and every allegation contained in such
26 paragraph.

27 35. To the extent that the allegations contained in paragraph 35 of the Complaint are
28 directed to other defendants, Epson Defendants lack knowledge or information sufficient to form

1 a belief as to the truth of the allegations, and on that basis deny each and every such allegation.
2 To the extent that the allegations contained in paragraph 35 of the Complaint are directed to
3 Epson Defendants, Epson Defendants deny each and every allegation contained in such
4 paragraph.

5 36. The allegations in paragraph 36 of the Complaint purport to characterize publicly-
6 filed agreements between the DOJ and several defendants, as well as a number of publicly-filed
7 disclosure statements by the DOJ, the contents of which agreements and statements speak for
8 themselves and require no further response. To the extent that any further response may be
9 deemed required to such allegations, Epson Defendants deny each and every allegation contained
10 in paragraph 36 of the Complaint, except admit that EID entered a guilty plea as set forth in the
11 publicly-filed Plea Agreement in *United States v. Epson Imaging Devices Corporation*, N.D. Cal.,
12 No. 09-cr-0854, the contents of which Plea Agreement speaks for itself.

13 37. Epson Defendants lack knowledge or information sufficient to form a belief as to
14 the truth of the allegations contained in paragraph 37 of the Complaint, and on that basis deny
15 each and every allegation.

16 38. Answering the allegations contained in paragraph 38 of the Complaint, Epson
17 Defendants deny each and every allegation contained in such paragraph, except admit that Sanyo
18 Epson Imaging Devices Corporation was formed and came into existence on October 1, 2004 as a
19 joint venture co-owned by Sanyo Electric Co., Ltd. and Seiko Epson Corporation, admit that as of
20 December 28, 2006, Sanyo Epson Imaging Devices Corporation became a wholly-owned
21 subsidiary of Seiko Epson Corporation and changed its name to Epson Imaging Devices
22 Corporation, admit that EID has its principal place of business at 3-101, Minami-Yoshikata,
23 Tottori-Shi, Tottori-Ken, 680-8577, Japan, and further admit that between October 1, 2004 and
24 December 28, 2006, Sanyo Epson Imaging Devices Corporation sold TFT-LCD panels or
25 modules containing TFT-LCD panels, and these panels or modules were shipped to multiple
26 locations worldwide, including the United States.

27 39. Answering the allegations contained in paragraph 39 of the Complaint, Epson
28 Defendants deny each and every allegation contained in such paragraph, except admit that EEA is

1 a wholly-owned subsidiary of US Epson Inc., and US Epson, Inc. is in turn a wholly-owned
2 subsidiary of Seiko Epson Corporation, and admit that EEA is a California corporation with its
3 principal place of business at 2580 Orchard Parkway, San Jose, California, and admit that EEA
4 re-sold in the United States TFT-LCD panels or modules containing TFT-LCD panels
5 manufactured outside the United States by Sanyo Epson Imaging Devices Corporation, which
6 later, on December 28, 2006 became a wholly-owned subsidiary of Seiko Epson Corporation
7 known as Epson Imaging Devices Corporation.

8 40. With respect to the allegations contained in paragraph 40 of the Complaint, Epson
9 Defendants are not required to respond because it does not contain any allegation of fact, but
10 rather plaintiffs' explanation of terminology. To the extent that any response may be deemed
11 required to any allegation in paragraph 40 of the Complaint, Epson Defendants deny each and
12 every allegation contained in such paragraph.

13 41. Epson Defendants lack the knowledge or information sufficient to form a belief as
14 to the truth of the allegations contained in paragraph 41 of the Complaint and on that basis deny
15 each and every such allegation.

16 42. Epson Defendants lack the knowledge or information sufficient to form a belief as
17 to the truth of the allegations contained in paragraph 42 of the Complaint and on that basis deny
18 each and every such allegation.

19 43. Epson Defendants lack the knowledge or information sufficient to form a belief as
20 to the truth of the allegations contained in paragraph 43 of the Complaint and on that basis deny
21 each and every such allegation.

22 44. Epson Defendants lack the knowledge or information sufficient to form a belief as
23 to the truth of the allegations contained in paragraph 44 of the Complaint and on that basis deny
24 each and every such allegation.

25 45. With respect to the allegations contained in paragraph 45 of the Complaint, Epson
26 Defendants are not required to respond because it does not contain any allegation of fact, but
27 rather plaintiffs' explanation of terminology.
28

1 46. Epson Defendants lack the knowledge or information sufficient to form a belief as
2 to the truth of the allegations contained in paragraph 46 of the Complaint and on that basis deny
3 each and every such allegation.

4 47. Epson Defendants lack the knowledge or information sufficient to form a belief as
5 to the truth of the allegations contained in paragraph 47 of the Complaint and on that basis deny
6 each and every such allegation.

7 48. With respect to the allegations contained in paragraph 48 of the Complaint, Epson
8 Defendants are not required to respond because it does not contain any allegation of fact, but
9 rather plaintiffs' explanation of terminology.

10 49. Epson Defendants lack the knowledge or information sufficient to form a belief as
11 to the truth of the allegations contained in paragraph 49 of the Complaint and on that basis deny
12 each and every such allegation.

13 50. Epson Defendants lack the knowledge or information sufficient to form a belief as
14 to the truth of the allegations contained in paragraph 50 of the Complaint and on that basis deny
15 each and every such allegation.

16 51. Epson Defendants lack the knowledge or information sufficient to form a belief as
17 to the truth of the allegations contained in paragraph 51 of the Complaint and on that basis deny
18 each and every such allegation.

19 52. With respect to the allegations contained in paragraph 52 of the Complaint, Epson
20 Defendants are not required to respond because it does not contain any allegation of fact, but
21 rather plaintiffs' explanation of terminology.

22 53. Epson Defendants lack the knowledge or information sufficient to form a belief as
23 to the truth of the allegations contained in paragraph 53 of the Complaint and on that basis deny
24 each and every such allegation.

25 54. To the extent that the allegations contained in paragraph 54 of the Complaint are
26 directed to other defendants, Epson Defendants lack knowledge or information sufficient to form
27 a belief as to the truth of the allegations, and on that basis deny each and every such allegation.
28 To the extent that the allegations contained in paragraph 54 of the Complaint are directed to

1 Epson Defendants, Epson Defendants deny each and every allegation contained in such
2 paragraph.

3 55. To the extent that the allegations contained in paragraph 55 of the Complaint are
4 directed to other defendants, Epson Defendants lack knowledge or information sufficient to form
5 a belief as to the truth of the allegations, and on that basis deny each and every such allegation.
6 To the extent that the allegations contained in paragraph 55 of the Complaint are directed to
7 Epson Defendants, Epson Defendants deny each and every allegation contained in such
8 paragraph.

9 56. To the extent that the allegations contained in paragraph 56 of the Complaint are
10 directed to other defendants, Epson Defendants lack knowledge or information sufficient to form
11 a belief as to the truth of the allegations, and on that basis deny each and every such allegation.
12 To the extent that the allegations contained in paragraph 56 of the Complaint are directed to
13 Epson Defendants, Epson Defendants deny each and every allegation contained in such
14 paragraph.

15 57. To the extent that the allegations contained in paragraph 57 of the Complaint are
16 directed to other defendants, Epson Defendants lack knowledge or information sufficient to form
17 a belief as to the truth of the allegations, and on that basis deny each and every such allegation.
18 To the extent that the allegations contained in paragraph 57 of the Complaint are directed to
19 Epson Defendants, Epson Defendants deny each and every allegation contained in such
20 paragraph.

21 58. Epson Defendants lack the knowledge or information sufficient to form a belief as
22 to the truth of the allegations contained in paragraph 58 of the Complaint and on that basis deny
23 each and every such allegation.

24 59. Epson Defendants lack the knowledge or information sufficient to form a belief as
25 to the truth of the allegations contained in paragraph 59 of the Complaint and on that basis deny
26 each and every such allegation.

1 60. Epson Defendants lack the knowledge or information sufficient to form a belief as
2 to the truth of the allegations contained in paragraph 60 of the Complaint and on that basis deny
3 each and every such allegation.

4 61. Epson Defendants lack the knowledge or information sufficient to form a belief as
5 to the truth of the allegations contained in paragraph 61 of the Complaint and on that basis deny
6 each and every such allegation.

7 62. Epson Defendants lack the knowledge or information sufficient to form a belief as
8 to the truth of the allegations contained in paragraph 62 of the Complaint and on that basis deny
9 each and every such allegation.

10 63. Epson Defendants lack the knowledge or information sufficient to form a belief as
11 to the truth of the allegations contained in paragraph 63 of the Complaint and on that basis deny
12 each and every such allegation.

13 64. Epson Defendants lack the knowledge or information sufficient to form a belief as
14 to the truth of the allegations contained in paragraph 64 of the Complaint and on that basis deny
15 each and every such allegation.

16 65. Epson Defendants lack the knowledge or information sufficient to form a belief as
17 to the truth of the allegations contained in paragraph 65 of the Complaint and on that basis deny
18 each and every such allegation.

19 66. Epson Defendants lack the knowledge or information sufficient to form a belief as
20 to the truth of the allegations contained in paragraph 66 of the Complaint and on that basis deny
21 each and every such allegation.

22 67. With respect to the allegations contained in paragraph 67 of the Complaint, Epson
23 Defendants are not required to respond because it does not contain any allegation of fact, but
24 rather plaintiffs' explanation of terminology. To the extent that any response may be deemed
25 required to any allegation in paragraph 67 of the Complaint directed to other defendants, Epson
26 Defendants lack knowledge or information sufficient to form a belief as to the truth of the
27 allegations, and on that basis deny each and every such allegation. To the extent that the
28

1 allegations contained in paragraph 67 of the Complaint are directed to Epson Defendants, Epson
2 Defendants deny each and every allegation contained in such paragraph.

3 68. Epson Defendants lack knowledge or information sufficient to form a belief as to
4 the allegations contained in paragraph 68, and on that basis deny each and every allegation.

5 69. With respect to paragraph 69 of the Complaint, Epson Defendants deny that there
6 is any single “demand” for “TFT-LCD panels.” Plaintiffs’ definitions comprise a wide variety of
7 items of commerce that appear at many different levels of many different production chains, and
8 that are traded in multiple, separate markets, including multiple, separate markets for different
9 types of TFT-LCD panels, and multiple, separate markets for appliances containing multiple
10 separate types of TFT-LCD panels. Further responding to the remaining allegations in paragraph
11 69, Epson Defendants deny each and every allegation contained in such paragraph.

12 70. Epson Defendants admit that paragraph 70 generally describes some basic aspects
13 of the nature, technology, and means of manufacturing TFT-LCD panels, modules, and
14 appliances containing TFT-LCD panels, that some types of TFT-LCD panels are incorporated in
15 many appliances, including, but not limited to, computer monitors, televisions, and cellular
16 telephones, and that at various times, different types of TFT-LCD panels were used in a wide
17 variety of appliances, including, but not limited to, wireless handsets. Except as specifically
18 admitted herein, Epson Defendants deny the remainder of the allegations in paragraph 70.

19 71. Epson Defendants admit that paragraph 71 generally describes some basic aspects
20 of the nature, technology, and means of manufacturing TFT-LCD panels, modules, and
21 appliances containing TFT-LCD panels, that some types of TFT-LCD panels are incorporated in
22 many appliances, including, but not limited to, computer monitors, televisions, and cellular
23 telephones, and that at various times, different types of TFT-LCD panels were used in a wide
24 variety of appliances, including, but not limited to, wireless handsets. Except as specifically
25 admitted herein, Epson Defendants deny the remainder of the allegations in paragraph 71.

26 72. Epson Defendants admit that paragraph 72 generally describes some basic aspects
27 of the nature, technology, and means of manufacturing TFT-LCD panels, modules, and
28 appliances containing TFT-LCD panels, that some types of TFT-LCD panels are incorporated in

1 many appliances, including, but not limited to, computer monitors, televisions, and cellular
2 telephones, and that at various times, different types of TFT-LCD panels were used in a wide
3 variety of appliances, including, but not limited to, wireless handsets. Further responding to the
4 allegations contained in paragraph 72, to the extent that the remaining allegations are directed to
5 other defendants, Epson Defendants lack knowledge or information sufficient to form a belief as
6 to the truth of the allegations, and deny each and every allegation. To the extent that the
7 remaining allegations contained in paragraph 72 are directed to Epson Defendants, Epson
8 Defendants deny each and every such allegation.

9 73. With respect to the allegations contained in paragraph 73 of the Complaint, Epson
10 Defendants are not required to respond because it does not contain any allegation of fact, but
11 rather plaintiffs' explanation of terminology. Further responding to the allegations in paragraph
12 73, Epson Defendants admit that paragraph 73 generally describes some basic aspects of the
13 nature, technology, and means of manufacturing TFT-LCD panels, modules, and appliances
14 containing TFT-LCD panels, that some types of TFT-LCD panels are incorporated in many
15 appliances, including, but not limited to, computer monitors, televisions, and cellular telephones,
16 and that at various times, different types of TFT-LCD panels were used in a wide variety of
17 appliances, including, but not limited to, wireless handsets. Except as specifically admitted
18 herein, Epson Defendants deny the remainder of the allegations in paragraph 73.

19 74. With respect to the allegations contained in paragraph 74 of the Complaint, Epson
20 Defendants are not required to respond because it does not contain any allegation of fact, but
21 rather plaintiffs' explanation of terminology. Further responding to the allegations contained in
22 paragraph 74 of the Complaint, Epson Defendants lack knowledge or information sufficient to
23 form a belief as to the truth of the allegations and on that basis deny each and every such
24 allegation.

25 75. With respect to paragraph 75 of the Complaint, Epson Defendants deny any
26 allegation contained in such paragraph that there is a single "TFT-LCD industry." The term
27 "TFT-LCD industry" is undefined, argumentative, and counterintuitive, given that there is no
28 single market for TFT-LCD panels and products containing TFT-LCD panels, but rather there are

1 multiple separate markets for TFT-LCD panels and multiple separate markets for products
2 containing TFT-LCD panels. Thus, as defined, the term “TFT-LCD industry” creates confusion
3 in this paragraph and wherever it is used as part of any subsequent allegation in the Complaint.
4 Further responding to the allegations in paragraph 75, Epson Defendants deny each and every
5 allegation contained in such paragraph.

6 76. Epson Defendants lack knowledge or information sufficient to form a belief as to
7 the allegations contained in the first sentence of paragraph 76 of the Complaint, and on that basis
8 deny each and every such allegation. Further responding to the allegations contained in the
9 second sentence of paragraph 76, plaintiffs purport to characterize a Reuters article, which
10 Reuters article speaks for itself as to its content and require no further response. To the extent
11 that the remaining allegations in paragraph 76 require any further response, Epson Defendants
12 deny each and every allegation in paragraph 76.

13 77. Epson Defendants lack knowledge or information sufficient to form a belief as to
14 the allegations contained in the first sentence of paragraph 77 of the Complaint, and on that basis
15 deny each and every such allegation. Further responding to the allegations contained in the
16 second through third sentences of paragraph 77, plaintiffs purport to characterize industry reports
17 by iSuppli and other analysts, which reports speak for themselves as to their content and require
18 no further response. To the extent that the remaining allegations in paragraph 77 require any
19 further response, Epson Defendants deny each and every allegation in paragraph 77.

20 78. To the extent that the allegations contained in paragraph 78 are directed to other
21 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
22 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
23 that the allegations contained in paragraph 78 are directed to Epson Defendants, Epson
24 Defendants deny each and every allegation contained in such paragraph.

25 79. To the extent that the allegations contained in paragraph 79 are directed to other
26 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
27 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
28

1 that the allegations contained in paragraph 79 are directed to Epson Defendants, Epson
2 Defendants deny each and every allegation contained in such paragraph.

3 80. To the extent that the allegations contained in paragraph 80 are directed to other
4 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
5 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
6 that the allegations contained in paragraph 80 are directed to Epson Defendants, Epson
7 Defendants deny each and every allegation contained in such paragraph.

8 81. To the extent that the allegations contained in paragraph 81 are directed to other
9 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
10 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
11 that the allegations contained in paragraph 81 are directed to Epson Defendants, Epson
12 Defendants deny each and every allegation contained in such paragraph.

13 82. To the extent that the allegations contained in paragraph 82 are directed to other
14 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
15 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
16 that the allegations contained in paragraph 82 are directed to Epson Defendants, Epson
17 Defendants deny each and every allegation contained in such paragraph.

18 83. Epson Defendants lack knowledge or information sufficient to form a belief as to
19 the truth of the allegations directed to other defendants contained in the first three sentences of
20 paragraph 83 of the Complaint, and on that basis deny each and every allegation. Further
21 responding to the allegations in the fourth and fifth sentences of paragraph 83 of the Complaint,
22 plaintiffs purport to characterize DisplaySearch research reports, which reports speak for
23 themselves as to their content and require no further response. To the extent that the remaining
24 allegations in paragraph 83 are deemed to require any further response, Epson Defendants deny
25 each and every allegation contained in such paragraph.

26 84. To the extent that the allegations contained in paragraph 84 are directed to other
27 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
28 the truth of such allegations, and on that basis deny each and every such allegation. To the extent

1 that the allegations contained in paragraph 84 are directed to Epson Defendants, Epson
2 Defendants deny each and every allegation contained in such paragraph.

3 85. Epson Defendants lack knowledge or information sufficient to form a belief as to
4 the truth of the allegations directed to other defendants contained in paragraph 85 of the
5 Complaint, and on that basis deny each and every allegation.

6 86. Epson Defendants lack knowledge or information sufficient to form a belief as to
7 the truth of the allegations directed to other defendants contained in paragraph 86 of the
8 Complaint, and on that basis deny each and every allegation.

9 87. To the extent that the allegations contained in paragraph 87 are directed to other
10 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
11 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
12 that the allegations contained in paragraph 87 are directed to Epson Defendants, Epson
13 Defendants deny each and every allegation contained in such paragraph.

14 88. To the extent that the allegations contained in paragraph 88 are directed to other
15 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
16 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
17 that the allegations contained in paragraph 88 are directed to Epson Defendants, Epson
18 Defendants deny each and every allegation contained in such paragraph.

19 89. To the extent that the allegations contained in paragraph 89 are directed to other
20 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
21 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
22 that the allegations contained in paragraph 89 are directed to Epson Defendants, Epson
23 Defendants deny each and every allegation contained in such paragraph.

24 90. To the extent that the allegations contained in paragraph 90 are directed to other
25 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
26 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
27 that the allegations contained in paragraph 90 are directed to Epson Defendants, Epson
28 Defendants deny each and every allegation contained in such paragraph.

1 91. Epson Defendants lack knowledge or information sufficient to form a belief as to
2 the truth of the allegations directed to other defendants contained in paragraph 91 of the
3 Complaint, and on that basis deny each and every allegation.

4 92. To the extent that the allegations in the first two sentences of paragraph 92 purport
5 to characterize reports by industry analysts, such reports speak for themselves as to their contents
6 and require no further response. To the extent that the allegations in the third and fourth
7 sentences of paragraph 92 are directed towards other defendants, Epson Defendants lack the
8 knowledge or information sufficient to form a belief as to the truth of such allegations, and deny
9 each and every such allegation. To the extent that the allegations contained in paragraph 92 are
10 directed to Epson Defendants, Epson Defendants deny each and every allegation contained in
11 such paragraph.

12 93. Epson Defendants lack knowledge or information sufficient to form a belief as to
13 the truth of the allegations directed to other defendants contained in paragraph 93 of the
14 Complaint, and on that basis deny each and every allegation.

15 94. To the extent that the allegations contained in paragraph 94 are directed to other
16 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
17 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
18 that the allegations contained in paragraph 94 are directed to Epson Defendants, Epson
19 Defendants deny each and every allegation contained in such paragraph.

20 95. To the extent that the allegations contained in paragraph 95 are directed to other
21 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
22 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
23 that the allegations contained in paragraph 95 are directed to Epson Defendants, Epson
24 Defendants deny each and every allegation contained in such paragraph.

25 96. To the extent that the allegations contained in paragraph 96 are directed to other
26 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
27 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
28

1 that the allegations contained in paragraph 96 are directed to Epson Defendants, Epson
2 Defendants deny each and every allegation contained in such paragraph.

3 97. To the extent that the allegations contained in paragraph 97 are directed to other
4 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
5 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
6 that the allegations contained in paragraph 97 are directed to Epson Defendants, Epson
7 Defendants deny each and every allegation contained in such paragraph.

8 98. To the extent that the allegations contained in paragraph 98 are directed to other
9 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
10 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
11 that the allegations contained in paragraph 98 are directed to Epson Defendants, Epson
12 Defendants deny each and every allegation contained in such paragraph.

13 99. To the extent that the allegations contained in paragraph 99 are directed to other
14 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
15 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
16 that the allegations contained in paragraph 99 are directed to Epson Defendants, Epson
17 Defendants deny each and every allegation contained in such paragraph.

18 100. To the extent that the allegations contained in paragraph 100 are directed to other
19 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
20 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
21 that the allegations contained in paragraph 100 are directed to Epson Defendants, Epson
22 Defendants deny each and every allegation contained in such paragraph.

23 101. To the extent that the allegations contained in paragraph 101 are directed to other
24 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
25 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
26 that the allegations contained in paragraph 101 are directed to Epson Defendants, Epson
27 Defendants deny each and every allegation contained in such paragraph.
28

1 102. To the extent that the allegations contained in paragraph 102 are directed to other
2 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
3 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
4 that the allegations contained in paragraph 102 are directed to Epson Defendants, Epson
5 Defendants deny each and every allegation contained in such paragraph.

6 103. To the extent that the allegations contained in paragraph 103 are directed to other
7 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
8 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
9 that the allegations contained in paragraph 103 are directed to Epson Defendants, Epson
10 Defendants deny each and every allegation contained in such paragraph.

11 104. To the extent that the allegations contained in paragraph 104 are directed to other
12 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
13 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
14 that the allegations contained in paragraph 104 are directed to Epson Defendants, Epson
15 Defendants deny each and every allegation contained in such paragraph.

16 105. To the extent that the allegations contained in paragraph 105 are directed to other
17 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
18 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
19 that the allegations contained in paragraph 105 are directed to Epson Defendants, Epson
20 Defendants deny each and every allegation contained in such paragraph.

21 106. To the extent that the allegations contained in paragraph 106 are directed to other
22 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
23 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
24 that the allegations contained in paragraph 106 are directed to Epson Defendants, Epson
25 Defendants deny each and every allegation contained in such paragraph.

26 107. To the extent that the allegations contained in paragraph 107 are directed to other
27 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
28 the truth of such allegations, and on that basis deny each and every such allegation. To the extent

1 that the allegations contained in paragraph 107 are directed to Epson Defendants, Epson
2 Defendants deny each and every allegation contained in such paragraph.

3 108. To the extent that the allegations contained in paragraph 108 are directed to other
4 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
5 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
6 that the allegations contained in paragraph 108 are directed to Epson Defendants, Epson
7 Defendants deny each and every allegation contained in such paragraph.

8 109. To the extent that the allegations contained in paragraph 109 are directed to other
9 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
10 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
11 that the allegations contained in paragraph 109 are directed to Epson Defendants, Epson
12 Defendants deny each and every allegation contained in such paragraph.

13 110. To the extent that the allegations contained in paragraph 110 are directed to other
14 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
15 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
16 that the allegations contained in paragraph 110 are directed to Epson Defendants, Epson
17 Defendants deny each and every allegation contained in such paragraph.

18 111. Answering the allegations contained in paragraph 111 of the Complaint, Epson
19 Defendants deny each and every allegation contained such paragraph, except admit that EID
20 entered a guilty plea as set forth in the publicly-filed Plea Agreement in *United States v. Epson*
21 *Imaging Devices Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea Agreement
22 speaks for itself and requires no further response.

23 112. To the extent that the allegations contained in paragraph 112 are directed to other
24 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
25 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
26 that the allegations contained in paragraph 112 are directed to Epson Defendants, Epson
27 Defendants deny each and every allegation contained in such paragraph, except admit that EEA is
28

1 a wholly-owned subsidiary of US Epson Inc., and US Epson Inc. is in turn a wholly-owned
2 subsidiary of Seiko Epson Corporation.

3 113. To the extent that the allegations contained in paragraph 113 are directed to other
4 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
5 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
6 that the allegations contained in paragraph 113 are directed to Epson Defendants, Epson
7 Defendants deny each and every allegation contained in such paragraph.

8 114. Answering the allegations contained in paragraph 114 of the Complaint, plaintiffs
9 purport to characterize an agreement between the DOJ and Hitachi Displays, Ltd., and a publicly-
10 filed indictment against one of its executives, which agreement and indictment speak for
11 themselves as to their content and require no further response. Further answering the allegations
12 contained in paragraph 114 of the Complaint, Epson Defendants lack knowledge or information
13 sufficient to form a belief as to the truth of the allegations, and on that basis deny each and every
14 such allegation.

15 115. Answering the allegations contained in paragraph 115 of the Complaint, plaintiffs
16 purport to characterize an agreement between the DOJ and Sharp Corporation, which agreement
17 speaks for itself as to its content and requires no further response. Further answering the
18 allegations contained in paragraph 115 of the Complaint, Epson Defendants lack knowledge or
19 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
20 each and every such allegation.

21 116. Epson Defendants lack knowledge or information sufficient to form a belief as to
22 the truth of the allegations directed to other defendants contained in paragraph 116 of the
23 Complaint, and on that basis deny each and every allegation.

24 117. Epson Defendants lack knowledge or information sufficient to form a belief as to
25 the truth of the allegations directed to other defendants contained in paragraph 117 of the
26 Complaint, and on that basis deny each and every allegation.

1 118. Epson Defendants lack knowledge or information sufficient to form a belief as to
2 the truth of the allegations directed to other defendants contained in paragraph 118 of the
3 Complaint, and on that basis deny each and every allegation.

4 119. Answering the allegations contained in paragraph 119 of the Complaint, plaintiffs
5 purport to characterize an agreement between the DOJ and Chi Mei Optoelectronics, which
6 agreement speaks for itself as to its content and requires no further response. Further answering
7 the allegations contained in paragraph 119 of the Complaint, Epson Defendants lack knowledge
8 or information sufficient to form a belief as to the truth of the allegations, and on that basis deny
9 each and every such allegation.

10 120. Answering the allegations contained in paragraph 120 of the Complaint, plaintiffs
11 purport to characterize agreements between the DOJ and Chunghwa Picture Tubes, Ltd.
12 (“Chunghwa”) and three of its executives, which agreements speak for themselves as to their
13 content and require no further response. Further answering the allegations contained in paragraph
14 120 of the Complaint, plaintiffs purport to characterize publicly-filed indictments returned against
15 two Chunghwa executives, which indictments speak for themselves as to their contents and
16 require no further response. Further answering the allegations contained in paragraph 120 of the
17 Complaint, Epson Defendants lack knowledge or information sufficient to form a belief as to the
18 truth of the allegations, and on that basis deny each and every such allegation.

19 121. Answering the allegations contained in paragraph 121 of the Complaint, plaintiffs
20 purport to characterize agreements between the DOJ and LG Display Co. and LG Display
21 America, Inc. (collectively, “LG Display”) and two of its executives, which agreements speak for
22 themselves as to their content and require no further response. Further answering the allegations
23 contained in paragraph 121 of the Complaint, plaintiffs purport to characterize publicly-filed
24 indictments returned against an LG executive, which indictment speaks for itself as to its contents
25 and requires no further response. Further answering the allegations contained in paragraph 121 of
26 the Complaint, Epson Defendants lack knowledge or information sufficient to form a belief as to
27 the truth of the allegations, and on that basis deny each and every such allegation.

1 122. Epson Defendants lack knowledge or information sufficient to form a belief as to
2 the truth of the allegations directed to other defendants contained in paragraph 122 of the
3 Complaint, and on that basis deny each and every allegation.

4 123. Answering the allegations contained in paragraph 123, plaintiffs purport to
5 characterize a document filed in related class action litigation, which document speaks for itself
6 as to its content and requires no further response.

7 124. Epson Defendants lack knowledge or information sufficient to form a belief as to
8 the truth of the allegations directed to other defendants contained in paragraph 124 of the
9 Complaint, and on that basis deny each and every allegation. To the extent any further response
10 to paragraph 124 may be deemed required, Epson Defendants deny each and every allegation
11 contained in such paragraph.

12 125. The allegations contained in paragraph 125 of the Complaint purport to
13 characterize public statements by governmental authorities in Japan, Korea, the European Union
14 and the United States, as well as public disclosures by LG Display, which public statements and
15 public disclosures speak for themselves as to their content and require no further response. To the
16 extent any further response to paragraph 125 may be deemed required, Epson Defendants deny
17 each and every allegation contained in such paragraph.

18 126. The allegations contained in paragraph 126 of the Complaint purport to
19 characterize news reports and public statements by governmental authorities in Japan and the
20 European Union, which news reports and public disclosures speak for themselves as to their
21 content and require no further response. To the extent any further response to paragraph 126 may
22 be deemed required, Epson Defendants deny each and every allegation contained in such
23 paragraph.

24 127. The allegations contained in paragraph 127 of the Complaint purport to
25 characterize the annual reports of several defendants, which annual reports speak for themselves
26 as to their content and require no further response. To the extent any further response to
27 paragraph 127 may be deemed required, Epson Defendants deny each and every allegation
28 contained in such paragraph.

1 128. The allegations contained in paragraph 128 of the Complaint purport to
2 characterize an Securities and Exchange Commission filing by LG Display Co., Ltd., which filing
3 speaks for itself as to its content and requires no further response. To the extent any further
4 response to paragraph 128 may be deemed required, Epson Defendants deny each and every
5 allegation contained in such paragraph.

6 129. The allegations contained in paragraph 129 of the Complaint purport to
7 characterize public statements and orders by governmental authorities in Japan, which public
8 statements and orders speak for themselves as to their content and require no further response. To
9 the extent any further response to paragraph 129 may be deemed required, Epson Defendants
10 deny each and every allegation contained in such paragraph.

11 130. The allegations contained in paragraph 130 of the Complaint purport to
12 characterize an annual report by AU Optronics Corporation., which annual report speaks for itself
13 as to its content and requires no further response. To the extent any further response to paragraph
14 130 may be deemed required, Epson Defendants deny each and every allegation contained in such
15 paragraph.

16 131. The allegations in paragraph 131 of the Complaint purport to characterize
17 publicly-filed agreements between the DOJ and several defendants and alleged co-conspirators,
18 the contents of which agreements speak for themselves and require no further response. To the
19 extent that any further response may be deemed required to such allegations, Epson Defendants
20 deny each and every allegation contained in paragraph 131 of the Complaint, except admit that
21 EID entered a guilty plea as set forth in the publicly-filed Plea Agreement in *United States v.*
22 *Epson Imaging Devices Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea
23 Agreement speaks for itself; and admit that the DOJ reached agreements with LG Display Co.
24 Ltd., LG Display America, Inc, Sharp Corporation, Chunghwa Picture Tubes, Ltd., Chi Mei
25 Optoelectronics Corporation, and Hitachi Displays Ltd. to plead guilty and pay criminal fines for
26 violations of the Sherman Act. Except as otherwise herein admitted, Epson Defendants lack
27 knowledge or information to form a belief as to the truth of the allegations, and on that basis deny
28 each and every remaining allegation.

1 132. The allegations in paragraph 132 of the Complaint purport to characterize
2 publicly-filed agreements between the DOJ and several defendants, which agreements speak for
3 themselves as to their contents and require no further response. To the extent any further
4 response may be deemed required to such allegations, Epson Defendants admit that the DOJ
5 reached agreements with Chunghwa Picture Tubes, Ltd., Sharp Corporation, LG Display Co. Ltd.
6 and LG Display America Inc. to plead guilty and pay a total of \$585 million in criminal fines.
7 Except as specifically admitted herein, Epson Defendants deny each and every allegation in
8 paragraph 132 of the Complaint.

9 133. The allegations in paragraph 133 of the Complaint purport to characterize
10 publicly-filed agreements between the DOJ and several defendants, which agreements speak for
11 themselves as to their contents and require no further response. To the extent any further
12 response may be deemed required to such allegations, Epson Defendants admit that the DOJ
13 reached agreements with Chunghwa Picture Tubes, Ltd., LG Display Co. Ltd. and LG Display
14 America Inc. to plead guilty and pay a total of \$465 million in criminal fines. Except as
15 specifically admitted herein, Epson Defendants deny each and every allegation in paragraph 133
16 of the Complaint.

17 134. The allegations in paragraph 134 of the Complaint purport to characterize public
18 statements by DOJ lawyers, statements that were recorded in the hearing transcript, and which
19 transcript speaks for itself as to its content and requires no further response. Epson Defendants
20 lack knowledge or information sufficient to form a belief as to the truth of the allegations
21 contained in paragraph 134, and on that basis deny each and every allegation.

22 135. The allegations in paragraph 135 of the Complaint purport to characterize a
23 publicly-filed agreement between the DOJ and Sharp Corporation, which agreement speaks for
24 itself as to its contents and requires no further response. To the extent any further response may
25 be deemed required to such allegations, Epson Defendants admit that the DOJ reached agreement
26 with Sharp Corporation to plead guilty and pay a total of \$120 million in criminal fines. Except
27 as specifically admitted herein, Epson Defendants deny each and every allegation in paragraph
28 135 of the Complaint.

1 136. The allegations in paragraph 136 of the Complaint purport to characterize a
2 publicly-filed agreement between the DOJ and Sharp Corporation, which agreement speaks for
3 itself as to its contents and requires no further response. Epson Defendants lack knowledge or
4 information sufficient to form a belief as to the truth of the remaining allegations contained in
5 paragraph 136, and on that basis deny each and every allegation.

6 137. The allegations in paragraph 137 of the Complaint purport to characterize a
7 publicly-filed agreement between the DOJ and Sharp Corporation, which agreement speaks for
8 itself as to its contents and requires no further response. Epson Defendants lack knowledge or
9 information sufficient to form a belief as to the truth of the remaining allegations contained in
10 paragraph 137, and on that basis deny each and every allegation.

11 138. The allegations in paragraph 138 of the Complaint purport to characterize
12 publicly-filed agreements between the DOJ and several executives from Chunghwa and LG
13 Display, as well as statements made at such individuals' sentencing hearings, statements which
14 were recorded in the official hearing transcripts, which transcripts and agreements speak for
15 themselves as to their content and require no further response. Epson Defendants lack knowledge
16 or information sufficient to form a belief as to the truth of the remaining allegations contained in
17 paragraph 138, and on that basis deny each and every allegation.

18 139. The allegations in paragraph 139 of the Complaint purport to characterize
19 publicly-filed indictments returned against Chunghwa and LG executives, which indictments
20 speak for themselves as to their contents and require no further response. Epson Defendants lack
21 knowledge or information sufficient to form a belief as to the truth of the remaining allegations
22 contained in paragraph 139, and on that basis deny each and every allegation.

23 140. The allegations in paragraph 140 of the Complaint purport to characterize
24 publicly-filed indictments returned against Cheng Wuan Lin and Wen Jun Cheng, which
25 indictments speak for themselves as to their contents and require no further response. Epson
26 Defendants lack knowledge or information sufficient to form a belief as to the truth of the
27 remaining allegations contained in paragraph 140, and on that basis deny each and every
28 allegation.

1 141. The allegations in paragraph 141 of the Complaint purport to characterize a
2 publicly-filed indictment returned against Duk Mo Koo, which indictment speaks for itself as to
3 its content and requires no further response. Epson Defendants lack knowledge or information
4 sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 141,
5 and on that basis deny each and every allegation.

6 142. The allegations in paragraph 142 of the Complaint purport to characterize a
7 publicly-filed agreement between the DOJ and Hitachi Displays Ltd., which agreement speaks for
8 itself as to its content and requires no further response. To the extent any further response may be
9 deemed required to such allegations, Epson Defendants admit that the DOJ reached agreement
10 with Hitachi Displays Ltd. to plead guilty and pay a total of \$310 million in criminal fines.
11 Except as specifically admitted herein, Epson Defendants deny each and every allegation in
12 paragraph 142 of the Complaint.

13 143. The allegations in paragraph 143 of the Complaint purport to characterize a
14 publicly-filed agreement between the DOJ and Hitachi Displays Ltd., which agreement speaks for
15 itself as to its contents and requires no further response. Epson Defendants lack knowledge or
16 information sufficient to form a belief as to the truth of the remaining allegations contained in
17 paragraph 143, and on that basis deny each and every allegation.

18 144. The allegations in paragraph 144 of the Complaint purport to characterize a
19 publicly-filed indictment returned against Sakae Someya, which indictment speaks for itself as to
20 its content and requires no further response. Epson Defendants lack knowledge or information
21 sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 144,
22 and on that basis deny each and every allegation.

23 145. The allegations in paragraph 145 of the Complaint purport to characterize a
24 publicly-filed agreement between the DOJ and Bock Kwon, which agreement speaks for itself as
25 to its content and requires no further response. Epson Defendants lack knowledge or information
26 sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 145,
27 and on that basis deny each and every allegation.

1 146. To the extent that any further response may be deemed required to such
2 allegations, Epson Defendants deny each and every allegation contained in paragraph 146 of the
3 Complaint, except admit that EID entered a guilty plea as set forth in the publicly-filed Plea
4 Agreement in *United States v. Epson Imaging Devices Corporation*, N.D. Cal., No. 09-cr-0854,
5 the contents of which Plea Agreement speaks for itself; and admit that such agreement included
6 an agreement to plead guilty and pay a criminal fine of \$26 million. Except as specifically
7 admitted herein, Epson Defendants deny the allegations in paragraph 146 of the Complaint.

8 147. To the extent that any further response may be deemed required to such
9 allegations, Epson Defendants deny each and every allegation contained in paragraph 147 of the
10 Complaint, except admit that EID entered a guilty plea as set forth in the publicly-filed Plea
11 Agreement in *United States v. Epson Imaging Devices Corporation*, N.D. Cal., No. 09-cr-0854,
12 the contents of which Plea Agreement speaks for itself. Except as specifically admitted herein,
13 Epson Defendants deny the allegations in paragraph 147 of the Complaint.

14 148. The allegations in paragraph 148 of the Complaint purport to characterize a
15 publicly-filed agreement between the DOJ and Chi Mei Optoelectronics, which agreement speaks
16 for itself as to its content and requires no further response. To the extent any further response
17 may be deemed required to such allegations, Epson Defendants admit that the DOJ reached
18 agreement with Chi Mei Optoelectronics to plead guilty and pay a total of \$220 million in
19 criminal fines. Except as specifically admitted herein, Epson Defendants deny each and every
20 allegation in paragraph 148 of the Complaint.

21 149. The allegations in paragraph 149 of the Complaint purport to characterize a
22 publicly-filed agreement between the DOJ and Chi Mei Optoelectronics, which agreement speaks
23 for itself as to its contents and requires no further response. Epson Defendants lack knowledge or
24 information sufficient to form a belief as to the truth of the remaining allegations contained in
25 paragraph 149, and on that basis deny each and every allegation.

26 150. The allegations in paragraph 150 of the Complaint purport to characterize
27 publicly-filed agreements between the DOJ and several defendants and individuals, and publicly-
28 filed indictments returned against several defendants and individuals, the contents of which

1 agreements and indictments speak for themselves and require no further response. To the extent
2 that any further response may be deemed required to such allegations, Epson Defendants deny
3 each and every allegation contained in paragraph 150 of the Complaint, except admit that EID
4 entered a guilty plea as set forth in the publicly-filed Plea Agreement in *United States v. Epson*
5 *Imaging Devices Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea Agreement
6 speaks for itself; admit that the DOJ reached agreements with several defendants and alleged co-
7 conspirators to plead guilty and pay more than \$860 million in criminal fines for violations of the
8 Sherman Act, and admit that five individuals have pleaded guilty and have been sentenced to
9 serve jail time. Except as otherwise herein admitted, Epson Defendants lack knowledge or
10 information to form a belief as to the truth of the allegations, and on that basis deny each and
11 every remaining allegation.

12 151. To the extent the allegations contained in paragraph 151 of the Complaint are
13 directed towards other defendants, Epson Defendants lack knowledge or information sufficient to
14 form a belief as to the truth of the allegations and on that basis deny each and every allegation.
15 To the extent that the allegations contained in paragraph 151 are directed towards Epson
16 Defendants, Epson Defendants deny each and every such allegation.

17 152. Epson Defendants lack knowledge or information sufficient to form a belief as to
18 the truth of the allegations contained in paragraph 152 and on that basis deny each and every such
19 allegation.

20 153. With respect to paragraph 153 of the Complaint, Epson Defendants are not
21 required to respond because it does not contain any allegation of fact but rather consists of
22 speculation, argument, and conclusions of law. To the extent that paragraph 153 purports to
23 characterize publicly-filed plea agreements between the DOJ and several defendants, including
24 the publicly-filed Plea Agreement in *United States v. Epson Imaging Devices Corporation*, N.D.
25 Cal., No. 09-cr-0854, the contents of those documents speak for themselves and require no further
26 response.

27 154. To the extent that the allegations contained in paragraph 154 are directed to other
28 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to

1 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
2 that the allegations contained in paragraph 154 are directed to Epson Defendants, Epson
3 Defendants deny each and every allegation contained in such paragraph.

4 155. To the extent that the allegations contained in paragraph 155 are directed to other
5 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
6 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
7 that the allegations contained in paragraph 155 are directed to Epson Defendants, Epson
8 Defendants deny each and every allegation contained in such paragraph.

9 156. To the extent that the allegations contained in paragraph 156 are directed to other
10 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
11 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
12 that the allegations contained in paragraph 156 are directed to Epson Defendants, Epson
13 Defendants deny each and every allegation contained in such paragraph.

14 157. To the extent that the allegations contained in paragraph 157 are directed to other
15 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
16 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
17 that the allegations contained in paragraph 157 are directed to Epson Defendants, Epson
18 Defendants deny each and every allegation contained in such paragraph.

19 158. To the extent that the allegations contained in the first sentence of paragraph 158
20 of the Complaint are directed to other defendants, Epson Defendants lack the knowledge or
21 information sufficient to form a belief as to the truth of such allegation, and on that basis deny
22 each and every such allegation. To the extent that the allegations contained in the second
23 sentence of paragraph 158 purport to characterize an industry magazine's report, such report
24 speaks for itself as to its content and requires no further response. To the extent that the
25 remaining allegations in paragraph 158 require any further response, Epson Defendants deny each
26 and every allegation in paragraph 158.

27 159. To the extent that the allegations contained in paragraph 159 of the Complaint
28 purport to characterize an industry magazine's report, such report speaks for itself as to its content

1 and requires no further response. To the extent that the allegations contained in paragraph 159 of
2 the Complaint are directed to other defendants, Epson Defendants lack the knowledge or
3 information sufficient to form a belief as to the truth of such allegations, and on that basis deny
4 each and every such allegation. To the extent that the remaining allegations in paragraph 159
5 require any further response, Epson Defendants deny each and every allegation in paragraph 159.

6 160. To the extent that the allegations contained in paragraph 160 are directed to other
7 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
8 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
9 that the allegations contained in paragraph 160 are directed to Epson Defendants, Epson
10 Defendants deny each and every allegation contained in such paragraph.

11 161. To the extent that the allegations contained in paragraph 161 are directed to other
12 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
13 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
14 that the allegations contained in paragraph 161 are directed to Epson Defendants, Epson
15 Defendants deny each and every allegation contained in such paragraph.

16 162. To the extent that the allegations contained in paragraph 162 are directed to other
17 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
18 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
19 that the allegations contained in paragraph 162 are directed to Epson Defendants, Epson
20 Defendants deny each and every allegation contained in such paragraph.

21 163. To the extent that the allegations contained in the first sentence of paragraph 163
22 of the Complaint are directed to other defendants, Epson Defendants lack the knowledge or
23 information sufficient to form a belief as to the truth of such allegation, and on that basis deny
24 each and every such allegation. To the extent that the allegations contained in the second and
25 third sentences of paragraph 163 purport to characterize an Electronic News article, such article
26 speaks for itself as to its content and requires no further response. To the extent that the
27 remaining allegations in paragraph 163 require any further response, Epson Defendants deny each
28 and every allegation in paragraph 163.

1 164. To the extent that the allegations contained in the first sentence of paragraph 164
2 of the Complaint are directed to other defendants, Epson Defendants lack the knowledge or
3 information sufficient to form a belief as to the truth of such allegation, and on that basis deny
4 each and every such allegation. To the extent that the allegations contained in the second through
5 sixth sentences of paragraph 164 purport to characterize public statements by Yoon-Woo Lee,
6 such public statements speak for themselves as to their content and require no further response.
7 To the extent that the remaining allegations in paragraph 164 require any further response, Epson
8 Defendants deny each and every allegation in paragraph 164.

9 165. To the extent that the allegations contained in paragraph 165 are directed to other
10 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
11 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
12 that the allegations contained in paragraph 165 are directed to Epson Defendants, Epson
13 Defendants deny each and every allegation contained in such paragraph.

14 166. To the extent that the allegations contained in paragraph 166 are directed to other
15 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
16 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
17 that the allegations contained in paragraph 166 are directed to Epson Defendants, Epson
18 Defendants deny each and every allegation contained in such paragraph.

19 167. To the extent that the allegations contained in paragraph 167 of the Complaint
20 purport to characterize an industry publication's report, such report speaks for itself as to its
21 content and requires no further response. To the extent that the allegations contained in
22 paragraph 167 of the Complaint are directed to other defendants, Epson Defendants lack the
23 knowledge or information sufficient to form a belief as to the truth of such allegation, and on that
24 basis deny each and every such allegation. To the extent that the remaining allegations in
25 paragraph 167 require any further response, Epson Defendants deny each and every allegation in
26 paragraph 167.

27 168. To the extent that the allegations contained in the first sentence of paragraph 168
28 of the Complaint are directed to other defendants, Epson Defendants lack the knowledge or

1 information sufficient to form a belief as to the truth of such allegations, and on that basis deny
2 each and every such allegation. To the extent that the allegations contained in the second through
3 sixth sentences of paragraph 168 purport to characterize public statements by Yoon-Woo Lee,
4 such public statements speak for themselves as to their content and require no further response.
5 To the extent that the remaining allegations in paragraph 168 require any further response, Epson
6 Defendants deny each and every allegation in paragraph 168.

7 169. To the extent that the allegations contained in paragraph 169 of the Complaint
8 purport to characterize public statements by Bock Kwon and Yoon-Woo Lee, such statements
9 speak for themselves as to their content and require no further response. To the extent that the
10 allegations contained in paragraph 169 of the Complaint are directed to other defendants, Epson
11 Defendants lack the knowledge or information sufficient to form a belief as to the truth of such
12 allegation, and on that basis deny each and every such allegation. To the extent that the
13 remaining allegations in paragraph 169 require any further response, Epson Defendants deny each
14 and every allegation in paragraph 169.

15 170. Epson Defendants lack the knowledge or information sufficient to form a belief
16 about the allegations contained in paragraph 170 of the Complaint.

17 171. To the extent that the allegations contained in paragraph 171 are directed to other
18 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
19 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
20 that the allegations contained in paragraph 171 are directed to Epson Defendants, Epson
21 Defendants deny each and every allegation contained in such paragraph.

22 172. To the extent that the allegations contained in paragraph 172 are directed to other
23 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
24 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
25 that the allegations contained in paragraph 172 are directed to Epson Defendants, Epson
26 Defendants deny each and every allegation contained in such paragraph.

27 173. To the extent that the allegations contained in the first sentence of paragraph 173
28 of the Complaint are directed to other defendants, Epson Defendants lack the knowledge or

1 information sufficient to form a belief as to the truth of such allegations, and on that basis deny
2 each and every such allegation. To the extent that the allegations contained in the second
3 sentence of paragraph 173 purport to characterize a report by a “leading industry research house,”
4 such report speaks for itself as to its content and requires no further response. To the extent that
5 the remaining allegations in paragraph 173 require any further response, Epson Defendants deny
6 each and every allegation in paragraph 173.

7 174. To the extent that the allegations contained in paragraph 174 of the Complaint
8 purport to characterize a report by the Korea Herald, such report speaks for itself as to its content
9 and requires no further response. To the extent that the allegations contained in paragraph 174 of
10 the Complaint are directed to other defendants, Epson Defendants lack the knowledge or
11 information sufficient to form a belief as to the truth of such allegation, and on that basis deny
12 each and every such allegation. To the extent that the remaining allegations in paragraph 174
13 require any further response, Epson Defendants deny each and every allegation in paragraph 174.

14 175. To the extent that the allegations contained in the first, seventh and eighth
15 sentences of paragraph 175 of the Complaint are directed to other defendants, Epson Defendants
16 lack the knowledge or information sufficient to form a belief as to the truth of such allegations,
17 and on that basis deny each and every such allegation. To the extent that the allegations
18 contained in the second through sixth sentences of paragraph 175 purport to characterize public
19 statements by LG Display officials, industry experts and published data, such statements and data
20 speak for themselves as to their content and require no further response. To the extent that the
21 remaining allegations in paragraph 175 require any further response, Epson Defendants deny each
22 and every allegation in paragraph 175.

23 176. To the extent that the allegations contained in paragraph 176 are directed to other
24 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
25 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
26 that the allegations contained in paragraph 176 are directed to Epson Defendants, Epson
27 Defendants deny each and every allegation contained in such paragraph.
28

1 177. To the extent that the allegations contained in the first and third sentences of
2 paragraph 177 of the Complaint are directed to other defendants, Epson Defendants lack the
3 knowledge or information sufficient to form a belief as to the truth of such allegations, and on
4 that basis deny each and every such allegation. To the extent that the allegations contained in the
5 second sentence of paragraph 177 purport to characterize the attributions of industry experts, such
6 attributions speak for themselves as to their content and require no further response. To the
7 extent that the remaining allegations in paragraph 177 require any further response, Epson
8 Defendants deny each and every allegation in paragraph 177.

9 178. To the extent that the allegations contained in paragraph 178 are directed to other
10 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
11 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
12 that the allegations contained in paragraph 178 are directed to Epson Defendants, Epson
13 Defendants deny each and every allegation contained in such paragraph.

14 179. To the extent that the allegations contained in the first sentence of paragraph 179
15 of the Complaint are directed to other defendants, Epson Defendants lack the knowledge or
16 information sufficient to form a belief as to the truth of such allegations, and on that basis deny
17 each and every such allegation. To the extent that the allegations contained in the second
18 sentence of paragraph 179 purport to characterize the public statements of Samsung officials,
19 such public statements speak for themselves as to their content and require no further response.
20 To the extent that the remaining allegations in paragraph 179 require any further response, Epson
21 Defendants deny each and every allegation in paragraph 179.

22 180. To the extent that the allegations contained in the first and third sentences of
23 paragraph 180 of the Complaint are directed to other defendants, Epson Defendants lack the
24 knowledge or information sufficient to form a belief as to the truth of such allegations, and on
25 that basis deny each and every such allegation. To the extent that the allegations contained in the
26 second sentence of paragraph 180 purport to characterize the statements of a market research
27 analyst, such statements speak for themselves as to their content and require no further response.
28

1 To the extent that the remaining allegations in paragraph 180 require any further response, Epson
2 Defendants deny each and every allegation in paragraph 180.

3 181. To the extent that the allegations contained in paragraph 181 are directed to other
4 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
5 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
6 that the allegations contained in paragraph 181 are directed to Epson Defendants, Epson
7 Defendants deny each and every allegation contained in such paragraph.

8 182. To the extent that the allegations contained in the first, third and fourth sentences
9 of paragraph 182 of the Complaint are directed to other defendants, Epson Defendants lack the
10 knowledge or information sufficient to form a belief as to the truth of such allegations, and on
11 that basis deny each and every such allegation. To the extent that the allegations contained in the
12 second sentence of paragraph 182 purport to characterize the reports of a number of TFT-LCD
13 product manufacturers, such reports speak for themselves as to their content and require no
14 further response. To the extent that the remaining allegations in paragraph 182 require any
15 further response, Epson Defendants deny each and every allegation in paragraph 182.

16 183. To the extent that the allegations contained in paragraph 183 are directed to other
17 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
18 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
19 that the allegations contained in paragraph 183 are directed to Epson Defendants, Epson
20 Defendants deny each and every allegation contained in such paragraph.

21 184. To the extent that the allegations contained in paragraph 184 are directed to other
22 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
23 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
24 that the allegations contained in paragraph 184 are directed to Epson Defendants, Epson
25 Defendants deny each and every allegation contained in such paragraph.

26 185. To the extent that the allegations contained in paragraph 185 are directed to other
27 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
28 the truth of such allegations, and on that basis deny each and every such allegation. To the extent

1 that the allegations contained in paragraph 185 are directed to Epson Defendants, Epson
2 Defendants deny each and every allegation contained in such paragraph.

3 186. To the extent that the allegations contained in paragraph 186 are directed to other
4 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
5 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
6 that the allegations contained in paragraph 186 are directed to Epson Defendants, Epson
7 Defendants deny each and every allegation contained in such paragraph.

8 187. To the extent that the allegations contained in paragraph 187 are directed to other
9 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
10 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
11 that the allegations contained in paragraph 187 are directed to Epson Defendants, Epson
12 Defendants deny each and every allegation contained in such paragraph.

13 188. To the extent that the allegations contained in paragraph 188 are directed to other
14 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
15 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
16 that the allegations contained in paragraph 188 are directed to Epson Defendants, Epson
17 Defendants deny each and every allegation contained in such paragraph.

18 189. To the extent that the allegations contained in paragraph 189 of the Complaint
19 purport to characterize public statements by AU Optronics, such public statements speak for
20 themselves as to their content and require no further response. To the extent that the allegations
21 contained in paragraph 189 of the Complaint are directed to other defendants, Epson Defendants
22 lack the knowledge or information sufficient to form a belief as to the truth of such allegations,
23 and on that basis deny each and every such allegation. To the extent that the remaining
24 allegations in paragraph 189 require any further response, Epson Defendants deny each and every
25 allegation in paragraph 189.

26 190. To the extent that the allegations contained in paragraph 190 are directed to other
27 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
28 the truth of such allegations, and on that basis deny each and every such allegation. To the extent

1 that the allegations contained in paragraph 190 are directed to Epson Defendants, Epson
2 Defendants deny each and every allegation contained in such paragraph.

3 191. To the extent that the allegations contained in paragraph 191 are directed to other
4 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
5 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
6 that the allegations contained in paragraph 191 are directed to Epson Defendants, Epson
7 Defendants deny each and every allegation contained in such paragraph.

8 192. To the extent that the allegations contained in paragraph 192 are directed to other
9 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
10 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
11 that the allegations contained in paragraph 192 are directed to Epson Defendants, Epson
12 Defendants deny each and every allegation contained in such paragraph.

13 193. To the extent that the allegations contained in the first sentence of paragraph 193
14 of the Complaint purport to characterize public statements by Samsung, such public statements
15 speak for themselves as to their content and require no further response. To the extent that the
16 allegations contained in the second and third sentences of paragraph 193 of the Complaint are
17 directed to other defendants, Epson Defendants lack the knowledge or information sufficient to
18 form a belief as to the truth of such allegations, and on that basis deny each and every such
19 allegation. To the extent that the remaining allegations in paragraph 193 require any further
20 response, Epson Defendants deny each and every allegation in paragraph 193.

21 194. To the extent that the allegations contained in paragraph 194 of the Complaint
22 purport to characterize public statements by a Sharp executive and analysts' forecasts, such public
23 statements and forecasts speak for themselves as to their content and require no further response.
24 To the extent that the allegations contained in paragraph 194 of the Complaint are directed to
25 other defendants, Epson Defendants lack the knowledge or information sufficient to form a belief
26 as to the truth of such allegations, and on that basis deny each and every such allegation. To the
27 extent that the remaining allegations in paragraph 194 require any further response, Epson
28 Defendants deny each and every allegation in paragraph 194.

1 195. To the extent that the allegations contained in the first sentence of paragraph 195
2 of the Complaint are directed to other defendants, Epson Defendants lack the knowledge or
3 information sufficient to form a belief as to the truth of such allegations, and on that basis deny
4 each and every such allegation. To the extent that the allegations contained in the remainder of
5 paragraph 195 purport to characterize a public statement by Dr. Hus Hsiung of AU Optronics,
6 such public statements speak for themselves as to their content and require no further response.
7 To the extent that the remaining allegations in paragraph 195 require any further response, Epson
8 Defendants deny each and every allegation in paragraph 195.

9 196. To the extent that the allegations contained in paragraph 196 of the Complaint
10 purport to characterize public statements by spokespersons for LG Display and Samsung, such
11 public statements speak for themselves as to their content and require no further response. To the
12 extent that the allegations contained in paragraph 196 of the Complaint are directed to other
13 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
14 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
15 that the remaining allegations in paragraph 196 require any further response, Epson Defendants
16 deny each and every allegation in paragraph 196.

17 197. To the extent that the allegations contained in paragraph 197 of the Complaint
18 purport to characterize public statements by Sang-Wan Lee of Samsung, such public statements
19 speak for themselves as to their content and require no further response. To the extent that the
20 allegations contained in paragraph 197 of the Complaint are directed to other defendants, Epson
21 Defendants lack the knowledge or information sufficient to form a belief as to the truth of such
22 allegations, and on that basis deny each and every such allegation. To the extent that the
23 remaining allegations in paragraph 197 require any further response, Epson Defendants deny each
24 and every allegation in paragraph 197.

25 198. To the extent that the allegations contained in paragraph 198 are directed to other
26 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
27 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
28

1 that the allegations contained in paragraph 198 are directed to Epson Defendants, Epson
2 Defendants deny each and every allegation contained in such paragraph.

3 199. To the extent that the allegations contained in the first and second sentences of
4 paragraph 199 of the Complaint are directed to other defendants, Epson Defendants lack the
5 knowledge or information sufficient to form a belief as to the truth of such allegations, and on
6 that basis deny each and every such allegation. To the extent that the allegations contained in the
7 remainder of paragraph 199 purport to characterize public statements by Mr. Msiung of AU
8 Optronics, Eddie Chen of Chi Mei Optoelectronics, and an article in Info World, such article and
9 public statements speak for themselves as to their content and require no further response. To the
10 extent that the remaining allegations in paragraph 199 require any further response, Epson
11 Defendants deny each and every allegation in paragraph 199.

12 200. To the extent that the allegations contained in paragraph 200 are directed to other
13 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
14 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
15 that the allegations contained in paragraph 200 are directed to Epson Defendants, Epson
16 Defendants deny each and every allegation contained in such paragraph.

17 201. To the extent that the allegations contained in paragraph 201 are directed to other
18 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
19 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
20 that the allegations contained in paragraph 201 are directed to Epson Defendants, Epson
21 Defendants deny each and every allegation contained in such paragraph.

22 202. With respect to paragraph 202 of the Complaint, Epson Defendants are not
23 required to respond because it does not contain any allegation of fact but rather consists of
24 argument and conclusions of law. To the extent that the allegations contained in paragraph 202
25 are directed to other defendants, Epson Defendants lack the knowledge or information sufficient
26 to form a belief as to the truth of such allegations, and on that basis deny each and every such
27 allegation. To the extent that the allegations contained in paragraph 202 are directed to Epson
28 Defendants, Epson Defendants deny each and every allegation contained in such paragraph.

1 203. With respect to paragraph 203 of the Complaint, Epson Defendants deny any
2 allegation contained in such paragraph that there is a single “TFT-LCD industry.” The term
3 “TFT-LCD industry” is undefined, argumentative, and counterintuitive, given that there is no
4 single market for LCD panels, but rather there are multiple separate markets for LCD panels and
5 multiple separate markets for products containing LCD panels. Thus, as defined, the term “TFT-
6 LCD industry” creates confusion in this paragraph and wherever it is used as part of any
7 subsequent allegation in the Complaint. Epson Defendants further deny each and every allegation
8 contained in the first sentence of paragraph 203, except admit that there are several trade
9 organizations that convene meetings to address the concerns and interests of enterprises involved
10 in the multiple separate markets for LCD panels and multiple separate markets for appliances
11 containing LCD panels. Epson Defendants deny the remaining allegations of paragraph 203.

12 204. Epson Defendants lack the knowledge or information sufficient to form a belief as
13 to the truth of the allegations contained in paragraph 204 of the Complaint, and on that basis deny
14 each and every such allegation.

15 205. To the extent that the allegations contained in paragraph 205 of the Complaint
16 were derived from a public statement by Malcolm Thompson, such statement speaks for itself as
17 to its content and requires no further response. To the extent any further response may be deemed
18 required to such allegations in paragraph 205 of the Complaint, Epson Defendants lack
19 knowledge or information sufficient to form a belief as to the truth of such allegations, and on
20 that basis deny each and every allegation contained in such paragraph.

21 206. To the extent that the allegations contained in paragraph 206 are directed to other
22 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
23 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
24 that the allegations contained in paragraph 206 are directed to Epson Defendants, Epson
25 Defendants deny each and every allegation contained in such paragraph.

26 207. Epson Defendants lack the knowledge or information sufficient to form a belief as
27 to the truth of the allegations contained in paragraph 207 of the Complaint, and on that basis deny
28 each and every such allegation.

1 208. To the extent that the allegations contained in paragraph 208 of the Complaint
2 were derived from the agenda for the 2004 SID Conference, and presentations made at the 2004
3 SID Conference, such agenda and presentations speak for themselves as to their content and
4 require no further response. To the extent any further response may be deemed required to such
5 allegations in paragraph 208 of the Complaint, Epson Defendants lack knowledge or information
6 sufficient to form a belief as to the truth of such allegations, and on that basis deny each and
7 every allegation.

8 209. To the extent that the allegations contained in paragraph 209 of the Complaint
9 were derived from the agenda for the 2005 SID Conference, and presentations made at the 2005
10 SID Conference, such agenda and presentations speak for themselves as to their content and
11 require no further response. To the extent any further response may be deemed required to such
12 allegations in paragraph 209 of the Complaint, Epson Defendants lack knowledge or information
13 sufficient to form a belief as to the truth of such allegations, and on that basis deny each and
14 every allegation.

15 210. To the extent that the allegations contained in paragraph 210 of the Complaint
16 were derived from the agenda for the 2005 SID Conference, and presentations made at the 2005
17 SID Conference, such agenda and presentations speak for themselves as to their content and
18 require no further response. To the extent any further response may be deemed required to such
19 allegations in paragraph 210 of the Complaint, Epson Defendants lack knowledge or information
20 sufficient to form a belief as to the truth of such allegations, and on that basis deny each and
21 every allegation.

22 211. To the extent that the allegations contained in paragraph 211 of the Complaint
23 were derived from the agenda for the 2005 SID Conference, and presentations made at the 2005
24 SID Conference, such agenda and presentations speak for themselves as to their content and
25 require no further response. To the extent any further response may be deemed required to such
26 allegations in paragraph 211 of the Complaint, Epson Defendants lack knowledge or information
27 sufficient to form a belief as to the truth of such allegations, and on that basis deny each and
28 every allegation.

1 212. To the extent that the allegations contained in paragraph 212 are directed to other
2 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
3 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
4 that the allegations contained in paragraph 212 are directed to Epson Defendants, Epson
5 Defendants deny each and every allegation contained in such paragraph.

6 213. To the extent that the allegations contained in paragraph 213 of the Complaint
7 were derived from the agenda for the 2006 Global FPD Partners' Conference, and presentations
8 made at the 2006 Global FPD Partners' Conference, such agenda and presentations speak for
9 themselves as to their content and require no further response. To the extent any further response
10 may be deemed required to such allegations in paragraph 213 of the Complaint, Epson
11 Defendants lack knowledge or information sufficient to form a belief as to the truth of such
12 allegations, and on that basis deny them.

13 214. To the extent that the allegations contained in paragraph 214 of the Complaint
14 were derived from the agenda for the 2006 Global FPD Partners' Conference, and presentations
15 made at the 2006 Global FPD Partners' Conference, such agenda and presentations speak for
16 themselves as to their content and require no further response. To the extent any further response
17 may be deemed required to such allegations in paragraph 214 of the Complaint, Epson
18 Defendants lack knowledge or information sufficient to form a belief as to the truth of such
19 allegations, and on that basis deny them.

20 215. To the extent that the allegations contained in paragraph 215 are directed to other
21 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
22 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
23 that the allegations contained in paragraph 215 are directed to Epson Defendants, Epson
24 Defendants deny each and every allegation contained in such paragraph.

25 216. To the extent that the allegations contained in paragraph 216 are directed to other
26 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
27 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
28

1 that the allegations contained in paragraph 216 are directed to Epson Defendants, Epson
2 Defendants deny each and every allegation contained in such paragraph.

3 217. To the extent that the allegations contained in paragraph 217 are directed to other
4 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
5 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
6 that the allegations contained in paragraph 217 are directed to Epson Defendants, Epson
7 Defendants deny each and every allegation contained in such paragraph.

8 218. Epson Defendants lack the knowledge or information sufficient to form a belief as
9 to the truth of such allegations, and on that basis deny each and every such allegation contained in
10 paragraph 218.

11 219. With respect to paragraph 219 of the Complaint, Epson Defendants are not
12 required to respond because it does not contain any allegation of fact but rather consists of
13 argument and conclusions of law. To the extent that the allegations contained in paragraph 219
14 are directed to other defendants, Epson Defendants lack the knowledge or information sufficient
15 to form a belief as to the truth of such allegations, and on that basis deny each and every such
16 allegation. To the extent that the allegations contained in paragraph 219 are directed to Epson
17 Defendants, Epson Defendants deny each and every allegation contained in such paragraph.

18 220. Epson Defendants lack the knowledge or information sufficient to form a belief as
19 to the truth of such allegations, and on that basis deny each and every such allegation contained in
20 paragraph 220.

21 221. To the extent that the allegations contained in paragraph 221 are directed to other
22 defendants, Epson Defendants lack the knowledge or information sufficient to form a belief as to
23 the truth of such allegations, and on that basis deny each and every such allegation. To the extent
24 that the allegations contained in paragraph 221 are directed to Epson Defendants, Epson
25 Defendants deny each and every allegation contained in such paragraph.

26 222. With respect to paragraph 222 of the Complaint, Epson Defendants are not
27 required to respond because it does not contain any allegation of fact but rather consists of
28 argument and conclusions of law. To the extent that the allegations contained in paragraph 222

1 are directed to other defendants, Epson Defendants lack the knowledge or information sufficient
2 to form a belief as to the truth of such allegations, and on that basis deny each and every such
3 allegation. To the extent that the allegations contained in paragraph 222 are directed to Epson
4 Defendants, Epson Defendants deny each and every allegation contained in such paragraph.

5 223. With respect to paragraph 223 of the Complaint, Epson Defendants are not
6 required to respond because it does not contain any allegation of fact but rather consists of
7 argument and conclusions of law. To the extent that the allegations contained in paragraph 223
8 are directed to other defendants, Epson Defendants lack the knowledge or information sufficient
9 to form a belief as to the truth of such allegations, and on that basis deny each and every such
10 allegation. To the extent that the allegations contained in paragraph 223 are directed to Epson
11 Defendants, Epson Defendants deny each and every allegation contained in such paragraph.

12 224. With respect to paragraph 224 of the Complaint, Epson Defendants are not
13 required to respond because it does not contain any allegation of fact but rather consists of
14 argument and conclusions of law. To the extent that the allegations contained in paragraph 224
15 are directed to other defendants, Epson Defendants lack the knowledge or information sufficient
16 to form a belief as to the truth of such allegations, and on that basis deny each and every such
17 allegation. To the extent that the allegations contained in paragraph 224 are directed to Epson
18 Defendants, Epson Defendants deny each and every allegation contained in such paragraph.

19 225. With respect to paragraph 225 of the Complaint, Epson Defendants are not
20 required to respond because it does not contain any allegation of fact but rather consists of
21 argument and conclusions of law. To the extent that the allegations contained in paragraph 225
22 are directed to other defendants, Epson Defendants lack the knowledge or information sufficient
23 to form a belief as to the truth of such allegations, and on that basis deny each and every such
24 allegation. To the extent that the allegations contained in paragraph 225 are directed to Epson
25 Defendants, Epson Defendants deny each and every allegation contained in such paragraph.

26 226. With respect to paragraph 226 of the Complaint, Epson Defendants are not
27 required to respond because it does not contain any allegation of fact but rather consists of
28 argument and conclusions of law. To the extent that the allegations contained in paragraph 226

1 are directed to other defendants, Epson Defendants lack the knowledge or information sufficient
2 to form a belief as to the truth of such allegations, and on that basis deny each and every such
3 allegation. To the extent that the allegations contained in paragraph 226 are directed to Epson
4 Defendants, Epson Defendants deny each and every allegation contained in such paragraph.

5 227. To the extent that the allegations contained in paragraph 227 were derived from a
6 public statement by Joel Pollack, such statement speaks for itself as to its content and requires no
7 further response. To the extent any response may be deemed required to any allegation contained
8 in paragraph 227 of the Complaint directed to other defendants, Epson Defendants lack
9 knowledge or information sufficient to form a belief as to the truth of the allegations, and on that
10 basis deny each and every such allegation. To the extent any response may be deemed required
11 to any allegations in paragraph 227 of the Complaint directed to Epson Defendants, Epson
12 Defendants deny each and every allegation contained in such paragraph.

13 228. With respect to paragraph 228 of the Complaint, to the extent allegations in
14 paragraph 228 are derived from public statements by Bock Kwon and Yoon-Woo Lee, such
15 statements speak for themselves as to their content and require no further response. To the extent
16 any response may be deemed required to any allegation in paragraph 228 of the Complaint
17 directed to other defendants, Epson Defendants lack knowledge or information sufficient to form
18 a belief as to the truth of the allegations and on that basis deny each and every such allegation.
19 To the extent that allegations contained in paragraph 228 of the Complaint are directed to Epson
20 Defendants, Epson Defendants deny each and every allegation contained in such paragraph.

21 229. With respect to paragraph 229 of the Complaint, to the extent allegations in
22 paragraph 229 are derived from public statements by Bruce Berkoff, such statements speak for
23 themselves as to their content and require no further response. To the extent any response may be
24 deemed required to any allegation in paragraph 229 of the Complaint directed to other defendants,
25 Epson Defendants lack knowledge or information sufficient to form a belief as to the truth of the
26 allegations and on that basis deny each and every such allegation. To the extent that allegations
27 contained in paragraph 229 of the Complaint are directed to Epson Defendants, Epson Defendants
28 deny each and every allegation contained in such paragraph.

1 230. With respect to paragraph 230 of the Complaint, to the extent allegations in
2 paragraph 230 are derived from public statements by Koo Duk-Mo, such statements speak for
3 themselves as to their content and require no further response. To the extent any response may be
4 deemed required to any allegation in paragraph 230 of the Complaint directed to other defendants,
5 Epson Defendants lack knowledge or information sufficient to form a belief as to the truth of the
6 allegations and on that basis deny each and every such allegation. To the extent that allegations
7 contained in paragraph 230 of the Complaint are directed to Epson Defendants, Epson Defendants
8 deny each and every allegation contained in such paragraph.

9 231. With respect to paragraph 231 of the Complaint, to the extent allegations in
10 paragraph 231 were derived from public statements by Hsu Jen-Ting and Chen Shuen-Bin in
11 interviews with Taiwan Economic News in October 2001, such statements speak for themselves
12 as to their contents and require no further response. To the extent any response may be deemed
13 required to any allegation in paragraph 231 of the Complaint directed to other defendants, Epson
14 Defendants lack knowledge or information sufficient to form a belief as to the truth of the
15 allegations and on that basis deny each and every such allegation. To the extent that allegations
16 contained in paragraph 231 of the Complaint are directed to Epson Defendants, Epson Defendants
17 deny each and every allegation contained in such paragraph.

18 232. With respect to paragraph 232 of the Complaint, to the extent allegations in
19 paragraph 232 purport to characterize a document or documents produced in discovery, such
20 document or documents speak for themselves as to their contents and require no further response.
21 To the extent any response may be deemed required to any allegation in paragraph 232 of the
22 Complaint directed to other defendants, Epson Defendants lack knowledge or information
23 sufficient to form a belief as to the truth of the allegations and on that basis deny each and every
24 such allegation. To the extent that allegations contained in paragraph 232 of the Complaint are
25 directed to Epson Defendants, Epson Defendants deny each and every allegation contained in
26 such paragraph.

27 233. To the extent any response may be deemed required to any allegation in the first
28 sentence of paragraph 233 of the Complaint directed to other defendants, Epson Defendants lack

1 knowledge or information sufficient to form a belief as to the truth of the allegations and on that
2 basis deny each and every such allegation. With respect to the second and third sentences of
3 paragraph 233 of the Complaint, to the extent allegations contained in such sentences were
4 derived from public statements by Koo Duk-Mo of LG Display, such statements speak for
5 themselves as to their contents and require no further response. To the extent that allegations
6 contained in paragraph 233 of the Complaint are directed to Epson Defendants, Epson Defendants
7 deny each and every allegation contained in such paragraph.

8 234. With respect to paragraph 234 of the Complaint, Epson Defendants are not
9 required to respond because it does not contain any allegation of fact but rather consists of
10 argument and conclusions of law. To the extent that the allegations contained in paragraph 234
11 are directed to other defendants, Epson Defendants lack the knowledge or information sufficient
12 to form a belief as to the truth of such allegations, and on that basis deny each and every such
13 allegation. To the extent that the allegations contained in paragraph 234 are directed to Epson
14 Defendants, Epson Defendants deny each and every allegation contained in such paragraph.

15 235. Epson Defendants lack the knowledge or information sufficient to form a belief as
16 to the truth of the allegations contained in paragraph 235 of the Complaint, and on that basis deny
17 each and every such allegation.

18 236. Epson Defendants lack the knowledge or information sufficient to form a belief as
19 to the truth of the allegations contained in paragraph 236 of the Complaint, and on that basis deny
20 each and every such allegation.

21 237. Epson Defendants lack the knowledge or information sufficient to form a belief as
22 to the truth of the allegations contained in paragraph 237 of the Complaint, and on that basis deny
23 each and every such allegation.

24 238. Epson Defendants lack the knowledge or information sufficient to form a belief as
25 to the truth of the allegations contained in paragraph 238 of the Complaint, and on that basis deny
26 each and every such allegation.

1 239. Epson Defendants lack the knowledge or information sufficient to form a belief as
2 to the truth of the allegations contained in paragraph 239 of the Complaint, and on that basis deny
3 each and every such allegation.

4 240. Epson Defendants lack the knowledge or information sufficient to form a belief as
5 to the truth of the allegations contained in paragraph 240 of the Complaint, and on that basis deny
6 each and every such allegation.

7 241. Epson Defendants lack the knowledge or information sufficient to form a belief as
8 to the truth of the allegations contained in paragraph 241 of the Complaint, and on that basis deny
9 each and every such allegation.

10 242. Epson Defendants lack the knowledge or information sufficient to form a belief as
11 to the truth of the allegations contained in paragraph 242 of the Complaint, and on that basis deny
12 each and every such allegation.

13 243. Epson Defendants lack the knowledge or information sufficient to form a belief as
14 to the truth of the allegations contained in paragraph 243 of the Complaint, and on that basis deny
15 each and every such allegation.

16 244. Epson Defendants lack the knowledge or information sufficient to form a belief as
17 to the truth of the allegations contained in paragraph 244 of the Complaint, and on that basis deny
18 each and every such allegation.

19 245. Epson Defendants lack the knowledge or information sufficient to form a belief as
20 to the truth of the allegations contained in paragraph 245 of the Complaint, and on that basis deny
21 each and every such allegation.

22 246. Epson Defendants lack the knowledge or information sufficient to form a belief as
23 to the truth of the allegations contained in paragraph 246 of the Complaint, and on that basis deny
24 each and every such allegation.

25 247. Epson Defendants lack the knowledge or information sufficient to form a belief as
26 to the truth of the allegations contained in paragraph 247 of the Complaint, and on that basis deny
27 each and every such allegation.
28

1 248. Epson Defendants lack the knowledge or information sufficient to form a belief as
2 to the truth of the allegations contained in paragraph 248 of the Complaint, and on that basis deny
3 each and every such allegation.

4 249. Epson Defendants lack the knowledge or information sufficient to form a belief as
5 to the truth of the allegations contained in paragraph 249 of the Complaint, and on that basis deny
6 each and every such allegation.

7 250. Answering the allegations contained in paragraph 250 of the Complaint, Epson
8 Defendants restate and reincorporate as if fully set forth herein each of the several responses set
9 forth above to each and every allegation contained in paragraphs 1 through 249, inclusive, of the
10 Complaint.

11 251. With respect to paragraph 251 of the Complaint, Epson Defendants are not
12 required to respond because it does not contain any allegation of fact, but rather consists of
13 arguments and conclusions of law. To the extent that any response may be deemed required to
14 any allegation in paragraph 251 of the Complaint directed to other defendants, Epson Defendants
15 lack knowledge or information sufficient to form a belief as to the truth of the allegations, and on
16 that basis deny each and every such allegation. To the extent that the allegations contained in
17 paragraph 251 of the Complaint are directed to Epson Defendants, Epson Defendants deny each
18 and every allegation contained in such paragraph, except admit that EID entered a guilty plea as
19 set forth in the publicly-filed Plea Agreement in *United States v. Epson Imaging Devices*
20 *Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea Agreement speaks for itself
21 and requires no further response.

22 252. With respect to paragraph 252 of the Complaint, Epson Defendants are not
23 required to respond because it does not contain any allegation of fact, but rather consists of
24 arguments and conclusions of law. To the extent that any response may be deemed required to
25 any allegation in paragraph 252 of the Complaint directed to other defendants, Epson Defendants
26 lack knowledge or information sufficient to form a belief as to the truth of the allegations, and on
27 that basis deny each and every such allegation. To the extent that the allegations contained in
28 paragraph 252 of the Complaint are directed to Epson Defendants, Epson Defendants deny each

1 and every allegation contained in such paragraph, except admit that EID entered a guilty plea as
2 set forth in the publicly-filed Plea Agreement in *United States v. Epson Imaging Devices*
3 *Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea Agreement speaks for itself
4 and requires no further response.

5 253. With respect to paragraph 253 of the Complaint, Epson Defendants are not
6 required to respond because it does not contain any allegation of fact, but rather consists of
7 arguments and conclusions of law. To the extent that any response may be deemed required to
8 any allegation in paragraph 253 of the Complaint directed to other defendants, Epson Defendants
9 lack knowledge or information sufficient to form a belief as to the truth of the allegations, and on
10 that basis deny each and every such allegation. To the extent that the allegations contained in
11 paragraph 253 of the Complaint are directed to Epson Defendants, Epson Defendants deny each
12 and every allegation contained in such paragraph, except admit that EID entered a guilty plea as
13 set forth in the publicly-filed Plea Agreement in *United States v. Epson Imaging Devices*
14 *Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea Agreement speaks for itself
15 and requires no further response.

16 254. With respect to paragraph 254 of the Complaint, Epson Defendants are not
17 required to respond because it does not contain any allegation of fact, but rather consists of
18 arguments and conclusions of law. To the extent that any response may be deemed required to
19 any allegation in paragraph 254 of the Complaint directed to other defendants, Epson Defendants
20 lack knowledge or information sufficient to form a belief as to the truth of the allegations, and on
21 that basis deny each and every such allegation. To the extent that the allegations contained in
22 paragraph 254 of the Complaint are directed to Epson Defendants, Epson Defendants deny each
23 and every allegation contained in such paragraph, except admit that EID entered a guilty plea as
24 set forth in the publicly-filed Plea Agreement in *United States v. Epson Imaging Devices*
25 *Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea Agreement speaks for itself
26 and requires no further response.

27 255. With respect to paragraph 255 of the Complaint, Epson Defendants are not
28 required to respond because it does not contain any allegation of fact, but rather consists of

1 arguments and conclusions of law. To the extent that any response may be deemed required to
2 any allegation in paragraph 255 of the Complaint directed to other defendants, Epson Defendants
3 lack knowledge or information sufficient to form a belief as to the truth of the allegations, and on
4 that basis deny each and every such allegation. To the extent that the allegations contained in
5 paragraph 255 of the Complaint are directed to Epson Defendants, Epson Defendants deny each
6 and every allegation contained in such paragraph, except admit that EID entered a guilty plea as
7 set forth in the publicly-filed Plea Agreement in *United States v. Epson Imaging Devices*
8 *Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea Agreement speaks for itself
9 and requires no further response.

10 256. With respect to paragraph 256 of the Complaint, Epson Defendants are not
11 required to respond because it does not contain any allegation of fact, but rather consists of
12 arguments and conclusions of law. To the extent that any response may be deemed required to
13 any allegation in paragraph 256 of the Complaint directed to other defendants, Epson Defendants
14 lack knowledge or information sufficient to form a belief as to the truth of the allegations, and on
15 that basis deny each and every such allegation. To the extent that the allegations contained in
16 paragraph 256 of the Complaint are directed to Epson Defendants, Epson Defendants deny each
17 and every allegation contained in such paragraph.

18 257. Answering the allegations contained in paragraph 257 of the Complaint, Epson
19 Defendants restate and reincorporate as if fully set forth herein each of the several responses set
20 forth above to each and every allegation contained in paragraphs 1 through 256, inclusive, of the
21 Complaint.

22 258. With respect to paragraph 258 of the Complaint, Epson Defendants are not
23 required to respond because it does not contain any allegation of fact, but rather consists of
24 arguments and conclusions of law. To the extent that any response may be deemed required to
25 any allegation in paragraph 258 of the Complaint directed to other defendants, Epson Defendants
26 lack knowledge or information sufficient to form a belief as to the truth of the allegations, and on
27 that basis deny each and every such allegation. To the extent that the allegations contained in
28 paragraph 258 of the Complaint are directed to Epson Defendants, Epson Defendants deny each

1 and every allegation contained in such paragraph, except admit that EID entered a guilty plea as
2 set forth in the publicly-filed Plea Agreement in *United States v. Epson Imaging Devices*
3 *Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea Agreement speaks for itself
4 and requires no further response.

5 259. With respect to paragraph 259 of the Complaint, Epson Defendants are not
6 required to respond because it does not contain any allegation of fact, but rather consists of
7 arguments and conclusions of law. To the extent that any response may be deemed required to
8 any allegation in paragraph 259 of the Complaint, Epson Defendants lack knowledge or
9 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
10 each and every such allegation. To the extent that the allegations contained in paragraph 259 of
11 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
12 allegation contained in such paragraph.

13 260. With respect to paragraph 260 of the Complaint, Epson Defendants are not
14 required to respond because it does not contain any allegation of fact, but rather consists of
15 arguments and conclusions of law. To the extent that any response may be deemed required to
16 any allegation in paragraph 260 of the Complaint, Epson Defendants lack knowledge or
17 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
18 each and every such allegation. To the extent that the allegations contained in paragraph 260 of
19 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
20 allegation contained in such paragraph.

21 261. With respect to paragraph 261 of the Complaint, plaintiffs purport to characterize a
22 prior court order in this case, such court order speaks for itself as to its content and requires no
23 further response. Further responding to the allegations of paragraph 261, Epson Defendants are
24 not required to respond because it does not contain any allegation of fact, but rather consists of
25 arguments and conclusions of law. To the extent that any allegation contained in paragraph 261
26 of the Complaint require any further response, Epson Defendants deny each and every allegation
27 contained in such paragraph.
28

1 262. With respect to paragraph 262 of the Complaint, plaintiffs purport to characterize a
2 prior court order in this case, such court order speaks for itself as to its content and requires no
3 further response. Further responding to the allegations of paragraph 262, Epson Defendants are
4 not required to respond because it does not contain any allegation of fact, but rather consists of
5 arguments and conclusions of law. To the extent that any allegation contained in paragraph 262
6 of the Complaint require any further response, Epson Defendants deny each and every allegation
7 contained in such paragraph.

8 263. With respect to paragraph 263 of the Complaint, plaintiffs purport to characterize a
9 prior court order in this case, such court order speaks for itself as to its content and requires no
10 further response. Further responding to the allegations of paragraph 263, Epson Defendants are
11 not required to respond because it does not contain any allegation of fact, but rather consists of
12 arguments and conclusions of law. To the extent that any allegation contained in paragraph 263
13 of the Complaint require any further response, Epson Defendants deny each and every allegation
14 contained in such paragraph.

15 264. With respect to paragraph 264 of the Complaint, Epson Defendants are not
16 required to respond because it does not contain any allegation of fact, but rather consists of
17 arguments and conclusions of law. To the extent that any response may be deemed required to
18 any allegation in paragraph 264 of the Complaint, Epson Defendants lack knowledge or
19 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
20 each and every such allegation. To the extent that the allegations contained in paragraph 264 of
21 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
22 allegation contained in such paragraph.

23 265. With respect to paragraph 265 of the Complaint, Epson Defendants are not
24 required to respond because it does not contain any allegation of fact, but rather consists of
25 arguments and conclusions of law. To the extent that any response may be deemed required to
26 any allegation in paragraph 265 of the Complaint, Epson Defendants lack knowledge or
27 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
28 each and every such allegation. To the extent that the allegations contained in paragraph 265 of

1 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
2 allegation contained in such paragraph.

3 266. Answering the allegations contained in paragraph 266 of the Complaint, Epson
4 Defendants restate and reincorporate as if fully set forth herein each of the several responses set
5 forth above to each and every allegation contained in paragraphs 1 through 265, inclusive, of the
6 Complaint.

7 267. With respect to paragraph 267 of the Complaint, Epson Defendants are not
8 required to respond because it does not contain any allegation of fact, but rather consists of
9 arguments and conclusions of law. To the extent that any response may be deemed required to
10 any allegation in paragraph 267 of the Complaint directed to other defendants, Epson Defendants
11 lack knowledge or information sufficient to form a belief as to the truth of the allegations, and on
12 that basis deny each and every such allegation. To the extent that the allegations contained in
13 paragraph 267 of the Complaint are directed to Epson Defendants, Epson Defendants deny each
14 and every allegation contained in such paragraph, except admit that EID entered a guilty plea as
15 set forth in the publicly-filed Plea Agreement in *United States v. Epson Imaging Devices*
16 *Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea Agreement speaks for itself
17 and requires no further response.

18 268. With respect to paragraph 268 of the Complaint, Epson Defendants are not
19 required to respond because it does not contain any allegation of fact, but rather consists of
20 arguments and conclusions of law. To the extent that any response may be deemed required to
21 any allegation in paragraph 268 of the Complaint, Epson Defendants lack knowledge or
22 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
23 each and every such allegation. To the extent that the allegations contained in paragraph 268 of
24 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
25 allegation contained in such paragraph.

26 269. With respect to paragraph 269 of the Complaint, Epson Defendants are not
27 required to respond because it does not contain any allegation of fact, but rather consists of
28 arguments and conclusions of law. To the extent that any response may be deemed required to

1 any allegation in paragraph 269 of the Complaint, Epson Defendants lack knowledge or
2 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
3 each and every such allegation. To the extent that the allegations contained in paragraph 269 of
4 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
5 allegation contained in such paragraph.

6 270. With respect to paragraph 270 of the Complaint, plaintiffs purport to characterize a
7 prior court order in this case, such court order speaks for itself as to its content and requires no
8 further response. Further responding to the allegations of paragraph 270, Epson Defendants are
9 not required to respond because it does not contain any allegation of fact, but rather consists of
10 arguments and conclusions of law. To the extent that any allegation contained in paragraph 270
11 of the Complaint require any further response, Epson Defendants deny each and every allegation
12 contained in such paragraph.

13 271. With respect to paragraph 271 of the Complaint, plaintiffs purport to characterize a
14 prior court order in this case, such court order speaks for itself as to its content and requires no
15 further response. Further responding to the allegations of paragraph 271, Epson Defendants are
16 not required to respond because it does not contain any allegation of fact, but rather consists of
17 arguments and conclusions of law. To the extent that any allegation contained in paragraph 271
18 of the Complaint require any further response, Epson Defendants deny each and every allegation
19 contained in such paragraph.

20 272. With respect to paragraph 272 of the Complaint, plaintiffs purport to characterize a
21 prior court order in this case, such court order speaks for itself as to its content and requires no
22 further response. Further responding to the allegations of paragraph 272, Epson Defendants are
23 not required to respond because it does not contain any allegation of fact, but rather consists of
24 arguments and conclusions of law. To the extent that any allegation contained in paragraph 272
25 of the Complaint require any further response, Epson Defendants deny each and every allegation
26 contained in such paragraph.

27 273. With respect to paragraph 273 of the Complaint, Epson Defendants are not
28 required to respond because it does not contain any allegation of fact, but rather consists of

1 arguments and conclusions of law. To the extent that any response may be deemed required to
2 any allegation in paragraph 273 of the Complaint, Epson Defendants lack knowledge or
3 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
4 each and every such allegation. To the extent that the allegations contained in paragraph 273 of
5 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
6 allegation contained in such paragraph.

7 274. With respect to paragraph 274 of the Complaint, Epson Defendants are not
8 required to respond because it does not contain any allegation of fact, but rather consists of
9 arguments and conclusions of law. To the extent that any response may be deemed required to
10 any allegation in paragraph 274 of the Complaint, Epson Defendants lack knowledge or
11 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
12 each and every such allegation. To the extent that the allegations contained in paragraph 274 of
13 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
14 allegation contained in such paragraph.

15 275. Answering the allegations contained in paragraph 275 of the Complaint, Epson
16 Defendants restate and reincorporate as if fully set forth herein each of the several responses set
17 forth above to each and every allegation contained in paragraphs 1 through 274, inclusive, of the
18 Complaint.

19 276. With respect to paragraph 276 of the Complaint, Epson Defendants are not
20 required to respond because it does not contain any allegation of fact, but rather consists of
21 arguments and conclusions of law. To the extent that any response may be deemed required to
22 any allegation in paragraph 276 of the Complaint directed to other defendants, Epson Defendants
23 lack knowledge or information sufficient to form a belief as to the truth of the allegations, and on
24 that basis deny each and every such allegation. To the extent that the allegations contained in
25 paragraph 276 of the Complaint are directed to Epson Defendants, Epson Defendants deny each
26 and every allegation contained in such paragraph, except admit that EID entered a guilty plea as
27 set forth in the publicly-filed Plea Agreement in *United States v. Epson Imaging Devices*
28

1 *Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea Agreement speaks for itself
2 and requires no further response.

3 277. With respect to paragraph 277 of the Complaint, Epson Defendants are not
4 required to respond because it does not contain any allegation of fact, but rather consists of
5 arguments and conclusions of law. To the extent that any response may be deemed required to
6 any allegation in paragraph 277 of the Complaint, Epson Defendants lack knowledge or
7 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
8 each and every such allegation. To the extent that the allegations contained in paragraph 277 of
9 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
10 allegation contained in such paragraph.

11 278. With respect to paragraph 278 of the Complaint, Epson Defendants are not
12 required to respond because it does not contain any allegation of fact, but rather consists of
13 arguments and conclusions of law. To the extent that any response may be deemed required to
14 any allegation in paragraph 278 of the Complaint, Epson Defendants lack knowledge or
15 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
16 each and every such allegation. To the extent that the allegations contained in paragraph 278 of
17 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
18 allegation contained in such paragraph.

19 279. With respect to paragraph 279 of the Complaint, Epson Defendants are not
20 required to respond because it does not contain any allegation of fact, but rather consists of
21 arguments and conclusions of law. To the extent that any response may be deemed required to
22 any allegation in paragraph 279 of the Complaint, Epson Defendants lack knowledge or
23 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
24 each and every such allegation. To the extent that the allegations contained in paragraph 279 of
25 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
26 allegation contained in such paragraph.

27 280. With respect to paragraph 280 of the Complaint, Epson Defendants are not
28 required to respond because it does not contain any allegation of fact, but rather consists of

1 arguments and conclusions of law. To the extent that any response may be deemed required to
2 any allegation in paragraph 280 of the Complaint, Epson Defendants lack knowledge or
3 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
4 each and every such allegation. To the extent that the allegations contained in paragraph 280 of
5 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
6 allegation contained in such paragraph.

7 281. With respect to paragraph 281 of the Complaint, plaintiffs purport to characterize a
8 prior court order in this case, such court order speaks for itself as to its content and requires no
9 further response. Further responding to the allegations of paragraph 281, Epson Defendants are
10 not required to respond because it does not contain any allegation of fact, but rather consists of
11 arguments and conclusions of law. To the extent that any allegation contained in paragraph 281
12 of the Complaint require any further response, Epson Defendants deny each and every allegation
13 contained in such paragraph.

14 282. With respect to paragraph 282 of the Complaint, plaintiffs purport to characterize a
15 prior court order in this case, such court order speaks for itself as to its content and requires no
16 further response. Further responding to the allegations of paragraph 282, Epson Defendants are
17 not required to respond because it does not contain any allegation of fact, but rather consists of
18 arguments and conclusions of law. To the extent that any allegation contained in paragraph 282
19 of the Complaint require any further response, Epson Defendants deny each and every allegation
20 contained in such paragraph.

21 283. With respect to paragraph 283 of the Complaint, plaintiffs purport to characterize a
22 prior court order in this case, such court order speaks for itself as to its content and requires no
23 further response. Further responding to the allegations of paragraph 283, Epson Defendants are
24 not required to respond because it does not contain any allegation of fact, but rather consists of
25 arguments and conclusions of law. To the extent that any allegation contained in paragraph 283
26 of the Complaint require any further response, Epson Defendants deny each and every allegation
27 contained in such paragraph.

1 284. With respect to paragraph 284 of the Complaint, Epson Defendants are not
2 required to respond because it does not contain any allegation of fact, but rather consists of
3 arguments and conclusions of law. To the extent that any response may be deemed required to
4 any allegation in paragraph 284 of the Complaint, Epson Defendants lack knowledge or
5 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
6 each and every such allegation. To the extent that the allegations contained in paragraph 284 of
7 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
8 allegation contained in such paragraph.

9 285. With respect to paragraph 285 of the Complaint, Epson Defendants are not
10 required to respond because it does not contain any allegation of fact, but rather consists of
11 arguments and conclusions of law. To the extent that any response may be deemed required to
12 any allegation in paragraph 285 of the Complaint, Epson Defendants lack knowledge or
13 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
14 each and every such allegation. To the extent that the allegations contained in paragraph 285 of
15 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
16 allegation contained in such paragraph.

17 286. Answering the allegations contained in paragraph 286 of the Complaint, Epson
18 Defendants restate and reincorporate as if fully set forth herein each of the several responses set
19 forth above to each and every allegation contained in paragraphs 1 through 285, inclusive, of the
20 Complaint.

21 287. With respect to paragraph 287 of the Complaint, Epson Defendants are not
22 required to respond because it does not contain any allegation of fact, but rather consists of
23 arguments and conclusions of law. To the extent that any response may be deemed required to
24 any allegation in paragraph 287 of the Complaint directed to other defendants, Epson Defendants
25 lack knowledge or information sufficient to form a belief as to the truth of the allegations, and on
26 that basis deny each and every such allegation. To the extent that the allegations contained in
27 paragraph 287 of the Complaint are directed to Epson Defendants, Epson Defendants deny each
28 and every allegation contained in such paragraph, except admit that EID entered a guilty plea as

1 set forth in the publicly-filed Plea Agreement in *United States v. Epson Imaging Devices*
2 *Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea Agreement speaks for itself
3 and requires no further response.

4 288. With respect to paragraph 288 of the Complaint, Epson Defendants are not
5 required to respond because it does not contain any allegation of fact, but rather consists of
6 arguments and conclusions of law. To the extent that any response may be deemed required to
7 any allegation in paragraph 288 of the Complaint, Epson Defendants lack knowledge or
8 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
9 each and every such allegation. To the extent that the allegations contained in paragraph 288 of
10 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
11 allegation contained in such paragraph.

12 289. With respect to paragraph 289 of the Complaint, Epson Defendants are not
13 required to respond because it does not contain any allegation of fact, but rather consists of
14 arguments and conclusions of law. To the extent that any response may be deemed required to
15 any allegation in paragraph 289 of the Complaint, Epson Defendants lack knowledge or
16 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
17 each and every such allegation. To the extent that the allegations contained in paragraph 289 of
18 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
19 allegation contained in such paragraph.

20 290. With respect to paragraph 290 of the Complaint, plaintiffs purport to characterize a
21 prior court order in this case, such court order speaks for itself as to its content and requires no
22 further response. Further responding to the allegations of paragraph 290, Epson Defendants are
23 not required to respond because it does not contain any allegation of fact, but rather consists of
24 arguments and conclusions of law. To the extent that any allegation contained in paragraph 290
25 of the Complaint requires any further response, Epson Defendants deny each and every allegation
26 contained in such paragraph.

27 291. With respect to paragraph 291 of the Complaint, plaintiffs purport to characterize a
28 prior court order in this case, such court order speaks for itself as to its content and requires no

1 further response. Further responding to the allegations of paragraph 291, Epson Defendants are
2 not required to respond because it does not contain any allegation of fact, but rather consists of
3 arguments and conclusions of law. To the extent that any allegation contained in paragraph 291
4 of the Complaint require any further response, Epson Defendants deny each and every allegation
5 contained in such paragraph.

6 292. With respect to paragraph 292 of the Complaint, plaintiffs purport to characterize a
7 prior court order in this case, such court order speaks for itself as to its content and requires no
8 further response. Further responding to the allegations of paragraph 292, Epson Defendants are
9 not required to respond because it does not contain any allegation of fact, but rather consists of
10 arguments and conclusions of law. To the extent that any allegation contained in paragraph 292
11 of the Complaint require any further response, Epson Defendants deny each and every allegation
12 contained in such paragraph.

13 293. With respect to paragraph 293 of the Complaint, Epson Defendants are not
14 required to respond because it does not contain any allegation of fact, but rather consists of
15 arguments and conclusions of law. To the extent that any response may be deemed required to
16 any allegation in paragraph 293 of the Complaint, Epson Defendants lack knowledge or
17 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
18 each and every such allegation. To the extent that the allegations contained in paragraph 293 of
19 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
20 allegation contained in such paragraph.

21 294. With respect to paragraph 294 of the Complaint, Epson Defendants are not
22 required to respond because it does not contain any allegation of fact, but rather consists of
23 arguments and conclusions of law. To the extent that any response may be deemed required to
24 any allegation in paragraph 294 of the Complaint, Epson Defendants lack knowledge or
25 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
26 each and every such allegation. To the extent that the allegations contained in paragraph 294 of
27 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
28 allegation contained in such paragraph.

1 295. Answering the allegations contained in paragraph 295 of the Complaint, Epson
2 Defendants restate and reincorporate as if fully set forth herein each of the several responses set
3 forth above to each and every allegation contained in paragraphs 1 through 294, inclusive, of the
4 Complaint.

5 296. With respect to paragraph 296 of the Complaint, plaintiffs purport to characterize a
6 prior court order in this case, such court order speaks for itself as to its content and requires no
7 further response. Further responding to the allegations of paragraph 296, Epson Defendants are
8 not required to respond because it does not contain any allegation of fact, but rather consists of
9 arguments and conclusions of law. To the extent that any allegation contained in paragraph 296
10 of the Complaint require any further response, Epson Defendants deny each and every allegation
11 contained in such paragraph.

12 297. With respect to paragraph 297 of the Complaint, Epson Defendants are not
13 required to respond because it does not contain any allegation of fact, but rather consists of
14 arguments and conclusions of law. To the extent that any response may be deemed required to
15 any allegation in paragraph 297 of the Complaint directed to other defendants, Epson Defendants
16 lack knowledge or information sufficient to form a belief as to the truth of the allegations, and on
17 that basis deny each and every such allegation. To the extent that the allegations contained in
18 paragraph 297 of the Complaint are directed to Epson Defendants, Epson Defendants deny each
19 and every allegation contained in such paragraph, except admit that EID entered a guilty plea as
20 set forth in the publicly-filed Plea Agreement in *United States v. Epson Imaging Devices*
21 *Corporation*, N.D. Cal., No. 09-cr-0854, the contents of which Plea Agreement speaks for itself
22 and requires no further response.

23 298. With respect to paragraph 298 of the Complaint, Epson Defendants are not
24 required to respond because it does not contain any allegation of fact, but rather consists of
25 arguments and conclusions of law. To the extent that any response may be deemed required to
26 any allegation in paragraph 298 of the Complaint, Epson Defendants lack knowledge or
27 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
28 each and every such allegation. To the extent that the allegations contained in paragraph 298 of

1 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
2 allegation contained in such paragraph.

3 299. With respect to paragraph 299 of the Complaint, Epson Defendants are not
4 required to respond because it does not contain any allegation of fact, but rather consists of
5 arguments and conclusions of law. To the extent that any response may be deemed required to
6 any allegation in paragraph 299 of the Complaint, Epson Defendants lack knowledge or
7 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
8 each and every such allegation. To the extent that the allegations contained in paragraph 299 of
9 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
10 allegation contained in such paragraph.

11 300. With respect to paragraph 300 of the Complaint, Epson Defendants are not
12 required to respond because it does not contain any allegation of fact, but rather consists of
13 arguments and conclusions of law. To the extent that any response may be deemed required to
14 any allegation in paragraph 300 of the Complaint, Epson Defendants lack knowledge or
15 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
16 each and every such allegation. To the extent that the allegations contained in paragraph 300 of
17 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
18 allegation contained in such paragraph.

19 301. Epson Defendants lack the knowledge or information sufficient to form a belief as
20 to the truth of the allegations contained in paragraph 301 of the Complaint, and on that basis deny
21 each and every such allegation.

22 302. With respect to paragraph 302 of the Complaint, plaintiffs purport to characterize a
23 prior court order in this case, such court order speaks for itself as to its content and requires no
24 further response. Further responding to the allegations of paragraph 302, Epson Defendants lack
25 the knowledge or information sufficient to form a belief as to the truth of the allegations
26 contained in paragraph 302 of the Complaint, and on that basis deny each and every such
27 allegation.
28

1 303. With respect to paragraph 303 of the Complaint, Epson Defendants are not
2 required to respond because it does not contain any allegation of fact, but rather consists of
3 arguments and conclusions of law. To the extent that any response may be deemed required to
4 any allegation in paragraph 303 of the Complaint, Epson Defendants lack knowledge or
5 information sufficient to form a belief as to the truth of the allegations, and on that basis deny
6 each and every such allegation. To the extent that the allegations contained in paragraph 303 of
7 the Complaint are directed to Epson Defendants, Epson Defendants deny each and every
8 allegation contained in such paragraph.

9 304. Answering the allegations contained in paragraph 304 of the Complaint, Epson
10 Defendants restate and reincorporate as if fully set forth herein each of the several responses set
11 forth above to each and every allegation contained in paragraphs 1 through 303, inclusive, of the
12 Complaint.

13 305. Epson Defendants lack the knowledge or information sufficient to form a belief as
14 to the truth of the allegations contained in paragraph 305 of the Complaint, and on that basis deny
15 each and every such allegation.

16 306. Epson Defendants lack the knowledge or information sufficient to form a belief as
17 to the truth of the allegations contained in paragraph 306 of the Complaint, and on that basis deny
18 each and every such allegation.

19 307. Epson Defendants lack the knowledge or information sufficient to form a belief as
20 to the truth of the allegations contained in paragraph 307 of the Complaint, and on that basis deny
21 each and every such allegation.

22 308. Epson Defendants lack the knowledge or information sufficient to form a belief as
23 to the truth of the allegations contained in paragraph 308 of the Complaint, and on that basis deny
24 each and every such allegation.

25 309. Answering the allegations contained in paragraph 309 of the Complaint, Epson
26 Defendants restate and reincorporate as if fully set forth herein each of the several responses set
27 forth above to each and every allegation contained in paragraphs 1 through 308, inclusive, of the
28 Complaint.

1 310. Epson Defendants lack the knowledge or information sufficient to form a belief as
2 to the truth of the allegations contained in paragraph 310 of the Complaint, and on that basis deny
3 each and every such allegation.

4 311. Epson Defendants lack the knowledge or information sufficient to form a belief as
5 to the truth of the allegations contained in paragraph 311 of the Complaint, and on that basis deny
6 each and every such allegation.

7 312. Epson Defendants lack the knowledge or information sufficient to form a belief as
8 to the truth of the allegations contained in paragraph 312 of the Complaint, and on that basis deny
9 each and every such allegation.

10 313. Epson Defendants lack the knowledge or information sufficient to form a belief as
11 to the truth of the allegations contained in paragraph 313 of the Complaint, and on that basis deny
12 each and every such allegation.

13 314. Answering the allegations contained in paragraph 314 of the Complaint, Epson
14 Defendants restate and reincorporate as if fully set forth herein each of the several responses set
15 forth above to each and every allegation contained in paragraphs 1 through 313, inclusive, of the
16 Complaint.

17 315. Epson Defendants lack the knowledge or information sufficient to form a belief as
18 to the truth of the allegations contained in paragraph 315 of the Complaint, and on that basis deny
19 each and every such allegation.

20 316. Epson Defendants lack the knowledge or information sufficient to form a belief as
21 to the truth of the allegations contained in paragraph 316 of the Complaint, and on that basis deny
22 each and every such allegation.

23 317. Epson Defendants lack the knowledge or information sufficient to form a belief as
24 to the truth of the allegations contained in paragraph 317 of the Complaint, and on that basis deny
25 each and every such allegation.

26 318. Epson Defendants lack the knowledge or information sufficient to form a belief as
27 to the truth of the allegations contained in paragraph 318 of the Complaint, and on that basis deny
28 each and every such allegation.

319. Epsom Defendants deny each and every allegation contained in the *ad damnum* clause of paragraph 319 of the Complaint and deny each and every allegation contained in the Complaint to the extent that a response has not been provided herein.

320. Epson Defendants are not required to respond to paragraph 320 of the Complaint as it relates to plaintiffs' characterizations of their claims.

ADDITIONAL DEFENSES

1. As additional defenses to the Complaint, Epson Defendants state, without assuming any burden of pleading or proof that would otherwise rest with the plaintiffs, as follows:

FIRST ADDITIONAL DEFENSE

(Lack of Subject Matter Jurisdiction)

2. The conduct alleged to provide a basis for the plaintiffs' claims did not have a direct, substantial, and reasonably foreseeable effect on trade or commerce with the United States. The Court therefore lacks subject matter jurisdiction over the plaintiffs' claims.

SECOND ADDITIONAL DEFENSE

(Failure to State a Claim)

3. The Complaint fails to state a claim upon which relief can be granted.

THIRD ADDITIONAL DEFENSE

(Failure to Plead Fraud Particularly; Fed.R.Civ.P. 9(b))

4. Plaintiffs have failed to plead fraudulent concealment with the particularity required by Rule 9(b) of the Federal Rules of Civil Procedure.

FOURTH ADDITIONAL DEFENSE

(Forum Non Conveniens)

5. The complaint should be dismissed on the grounds of forum non conveniens.

FIFTH ADDITIONAL DEFENSE

(Improper Forum/Arbitration)

6. Plaintiffs' claims against Epson Defendants are barred to the extent that it has agreed to arbitration or chosen a different forum for the resolution of their claims.

1 **SIXTH ADDITIONAL DEFENSE**

2 (Lack of Standing)

3 7. Plaintiffs' claims are barred, in whole or in part, because plaintiffs lack standing to
4 bring or maintain the claims set forth in the Complaint.

5 **SEVENTH ADDITIONAL DEFENSE**

6 (Lack of Standing – Indirect Purchasers)

7 8. Plaintiffs' claims are barred, in whole or in part, to the extent that it did not
8 purchase LCD panels or LCD products directly from defendants, because it is an indirect
9 purchaser and barred from maintaining an action under 15 U.S.C. § 1 for alleged injuries in that
10 capacity.

11 **EIGHTH ADDITIONAL DEFENSE**

12 (Lack of Antitrust Injury)

13 9. Plaintiffs' claims are barred, in whole or in part, because plaintiffs have suffered
14 no antitrust injury.

15 **NINTH ADDITIONAL DEFENSE**

16 (Statute of Limitations)

17 10. Plaintiffs' claims are barred, in whole or in part, by applicable statutes of
18 limitations, including but not limited to Section 4B of the Clayton Act (15 U.S.C. § 15b) and the
19 applicable statute of limitations under the laws of the State of Illinois.

20 **TENTH ADDITIONAL DEFENSE**

21 (Waiver)

22 11. Plaintiffs' claims are barred, in whole or in part, by the doctrine of waiver.

23 **ELEVENTH ADDITIONAL DEFENSE**

24 (Estoppel)

25 12. Plaintiffs' claims are barred, in whole or in part, by the doctrine of estoppel.

26 **TWELFTH ADDITIONAL DEFENSE**

27 (Laches)

28 13. Plaintiffs' claims are barred, in whole or in part, by the doctrine of laches.

1 **THIRTEENTH ADDITIONAL DEFENSE**

2 (No Act by Epson Defendants)

3 14. Plaintiffs' claims are barred, in whole or in part, because plaintiffs have not been
4 injured in their business or property by reason of any action by Epson Defendants.

5 **FOURTEENTH ADDITIONAL DEFENSE**

6 (Intervening Conduct)

7 15. Plaintiffs' claims are barred, in whole or in part, because any alleged injuries and
8 damages were not legally or proximately caused by any acts or omissions of Epson Defendants
9 and/or were caused, if at all, solely and proximately by the conduct of third parties including,
10 without limitation, the prior, intervening or superseding conduct of such third parties.

11 **FIFTEENTH ADDITIONAL DEFENSE**

12 (Ultra Vires)

13 16. To the extent that any actionable conduct occurred, plaintiffs' claims against
14 Epson Defendants are barred because all such conduct would have been committed by individuals
15 acting ultra vires.

16 **SIXTEENTH ADDITIONAL DEFENSE**

17 (Speculative Damages)

18 17. Plaintiffs' claims are barred, in whole or in part, because the alleged damages, if
19 any, are speculative and because of the impossibility of the ascertainment and allocation of such
20 alleged damages.

21 **SEVENTEENTH ADDITIONAL DEFENSE**

22 (Failure to Mitigate Damages)

23 18. Plaintiffs' claims are barred from recovery of any damages because of and to the
24 extent of its failure to mitigate damages.

25 **EIGHTEENTH ADDITIONAL DEFENSE**

26 (Unilateral Action)

27 19. Plaintiffs' claims are barred, in whole or in part, because any actions or practices
28 by Epson Defendants that are the subject of the Complaint were undertaken unilaterally for

1 legitimate business reasons and in pursuit of Epson Defendants' independent interests and those
2 of its customers, and were not the product of any contract, combination or conspiracy between
3 Epson Defendants and any other person or entity.

4 **NINETEENTH ADDITIONAL DEFENSE**

5 (Rule of Reason)

6 20. Plaintiffs' claims are barred, in whole or in part, because any acts or practices by
7 Epson Defendants that are the subject of the Complaint were adopted in furtherance of legitimate
8 business interests of Epson Defendants and of its customers and do not unreasonably restrain
9 competition.

10 **TWENTIETH ADDITIONAL DEFENSE**

11 (Competition)

12 21. Plaintiffs' claims are barred, in whole or in part, because any acts or practices by
13 Epson Defendants that are the subject of the Complaint were cost justified or otherwise
14 economically justified and resulted from a good faith effort to meet competition or market
15 conditions.

16 **TWENTY-FIRST ADDITIONAL DEFENSE**

17 (Privileged Conduct)

18 22. Plaintiffs' claims are barred, in whole or in part, as premised upon privileged
19 conduct or actions by Epson Defendants.

20 **TWENTY-SECOND ADDITIONAL DEFENSE**

21 (Pass Through)

22 23. Plaintiffs' claims are barred, in whole or in part, because it fails to meet its burden
23 of proving that it was damaged in fact by the conduct of which complaint is here made, including
24 the burden of proving that any so-called overcharge was not absorbed in whole or in part by direct
25 purchasers or by other third parties, and was passed through to the plaintiffs.

1 **TWENTY-THIRD ADDITIONAL DEFENSE**

2 (Pass On)

3 24. Plaintiffs' claims are barred, in whole or in part, because it fails to meet their
4 burden of proving that they were damaged in fact by the conduct of which complaint is here
5 made, including the burden of proving that any so-called overcharge was not passed on by
6 plaintiffs to a third party.

7 **TWENTY-FOURTH ADDITIONAL DEFENSE**

8 (Due Process)

9 25. Plaintiffs' claims are barred, in whole or in part, to the extent it seeks an improper
10 multiple punitive award for a single wrong because such an award would violate Epson
11 Defendants' rights guaranteed by the Due Process clause of the Fifth Amendment of the United
12 States Constitution.

13 **TWENTY-FIFTH ADDITIONAL DEFENSE**

14 (Due Process)

15 26. Plaintiffs' claims are barred, in whole or in part, to the extent it seeks an improper
16 multiple punitive award for a single wrong because such an award would violate Epson
17 Defendants' rights guaranteed by the Due Process clause of the Fourteenth Amendment of the
18 United States Constitution.

19 **TWENTY-SIXTH ADDITIONAL DEFENSE**

20 (Equal Protection)

21 27. Plaintiffs' claims are barred, in whole or in part, to the extent it seeks an improper
22 multiple punitive award for a single wrong because such an award would violate Epson
23 Defendants' rights guaranteed by the Equal Protection provision clause of the Fourteenth
24 Amendment of the United States Constitution.

25 **TWENTY-SEVENTH ADDITIONAL DEFENSE**

26 (Double Jeopardy)

27 28. Plaintiffs' claims are barred, in whole or in part, to the extent it seeks an improper
28 multiple punitive award for a single wrong because such an award would violate Epson

1 Defendants' rights guaranteed by the Double Jeopardy Clause of the Fifth Amendment of the
2 United States Constitution.

3 **TWENTY-EIGHTH ADDITIONAL DEFENSE**

4 (Excessive Fines)

5 29. Plaintiffs' claims are barred, in whole or in part, to the extent it seeks an improper
6 multiple punitive award for a single wrong because such an award would violate Epson
7 Defendants' rights guaranteed by the Excessive Fines provision of the Eighth Amendment of the
8 United States Constitution.

9 **TWENTY-NINTH ADDITIONAL DEFENSE**

10 (Unconstitutional Multiplicity)

11 30. To the extent any recovery by the plaintiffs would be duplicative of recovery by
12 other plaintiffs and other lawsuits, subjecting Epson Defendants to the possibility of multiple
13 liability, such recovery is barred by the Fifth and Eighth Amendments to the United States
14 Constitution.

15 **THIRTIETH ADDITIONAL DEFENSE**

16 (Bar on Duplicative Recovery)

17 31. To the extent any recovery by the plaintiffs would be duplicative of recovery by
18 other plaintiffs that are predecessors or successors to plaintiffs in the chain of distribution,
19 subjecting Epson Defendants to the possibility of multiple liability, such recovery is barred.

20 **THIRTY-FIRST ADDITIONAL DEFENSE**

21 (Incorporation of Defenses of Others)

22 32. Epson Defendants adopt by reference any applicable defense pleaded by any other
23 defendant not otherwise expressly set forth herein.

24 **THIRTY-SECOND ADDITIONAL DEFENSE**

25 (Reservation of Other Defenses)

26 33. Epson Defendants reserve the right to assert other defenses as this action proceeds
27 up to and including the time of trial.
28

1 WHEREFORE, Epson Defendants pray any claims set forth in the Complaint be
2 dismissed with prejudice, that Epson Defendants be awarded their costs in defending this action,
3 and that Epson Defendants be granted such other relief as the court deems just in the premises.
4

5 Dated: April 22, 2011

MELVIN R. GOLDMAN
STEPHEN P. FRECCERO
DEREK F. FORAN
MORRISON & FOERSTER LLP

8
9 By: /s/ Stephen P. Freccero
STEPHEN P. FRECCERO

10 Attorneys for Defendant
11 EPSON IMAGING DEVICES
12 CORPORATION AND EPSON
13 ELECTRONICS AMERICA, INC.
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